A History of INDIAN PUBLIC LIFE

(VOLUME TWO)

THE PRE-MAURYA
AND THE
MAURYA PERIODS

U. N. GHOSHAL

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RAMESH KUMAR GHOSHAL, M.A.

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A HISTORY OF INDIAN PUBLIC LIFE

(VOLUME TWO)

THE PRE-MAURYA AND THE MAURYA PERIODS

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PREFACE

EVER since the discovery of Sanskrit and allied Indian literature by the savants of the West, many important aspects of India's ancient culture have been revealed to us by an unending succession of competent scholars both in and outside this country. These aspects cover the spheres of religion and philosophy, of grammar and the mathematical sciences, of poetry and drama, of prose romances and fables. Among other aspects which have not received equal attention special mention may be made of the political ideas and institutions of Ancient India. The progress in this direction has been hampered not only by the imperfect character of the material available through the centuries, but also, as the author has endeavoured to show elsewhere (*Studies in Indian History and Culture*, pp. 277–9), by the operation of two contradictory tendencies, namely, the age-old antipathy of Western scholars to the cultures and civilizations of the East, which may ultimately be traced to their classical heritage, and the patriotic bias of their Indian counterparts arising from the nationalist movement of recent times. The time has now come for a thorough and dispassionate examination of the subject, if only to complete the picture of our country's ancient civilization. The theme has engaged the attention of the author now for many years past. In so far as the political thought of the ancient Indians is concerned, a comprehensive and systematic treatment has been attempted in his previous work, *A History of Indian Political Ideas—The ancient period and the period of transition to the Middle Ages* (1959). The author's historical and critical study of Ancient Indian political institutions was started in his work, *A History of Hindu Public Life, Part I* (1945). It has since been pursued (within necessarily prescribed limits) in his chapters in a series of works bearing on the general history of India in ancient times. These are *A Comprehensive History of India*, Vol. II (1957), and the three successive volumes (*The Classical Age, The Age of Imperial Kanauj* and *The Struggle for Empire*) of the series entitled *The History and Culture of the Indian People* (1951–). The first work covers the period from *c.* 1200 to 800 B.C. and the rest extend continuously from *c.* A.D. 320 to 1300. Between the author's contributions in these successive volumes there remains a gap of nearly a millennium, of which the first part, extending roughly from *c.* 800 to 190 B.C., is sought to be filled up, as fully and adequately as the existing materials will allow, in the present work.

No apology is needed for an intensive study of India's ancient political institutions. Not only does it lay bare an important aspect of our ancient culture but it is not without interest on its own account. In the first place the extraordinary duration of these institutions for nearly two millenniums and a half furnishes yet further evidence of the wonderful continuity of our civilization. The vitality of these institutions is proved by the fact that they have survived repeated shocks produced by foreign invasions and conquests and even mass migrations chiefly from Western and Central Asia through the centuries. The underlying thread of unity has been provided by the ancient monarchic tradition, based in the final analysis on the standards laid down by the Brahmanical authorities on law and polity. In the second place we can broadly distinguish the successive stages in the history of these institutions from the earliest times. Thus the early tribal polity of the Vedic Aryans, which was ruled by the king with the help of the tribal or folk assemblies, was developed into the territorial State in late Vedic times. The second or the pre-Maurya period was marked by the rise of territorial monarchies and republics with a general tendency towards complete centralization of the administration, with bureaucratic control over the lives of subjects and with a widely extended range of the State's functions. This was accompanied by the development of town and village administration on similar lines. The republics were thereafter merged in the monarchies and the latter in a single Empire, which reached its administrative peak under the Maurya emperors. The third period saw the break-up of the Maurya Empire and a series of foreign invasions and conquests, which planted for a time alien political institutions on Indian soil. Meanwhile the indigenous monarchies and republics appear to have developed on traditional lines. The Gupta or Classical Age, which ushered the fourth period, was marked by the unification of a considerable part of our country under a monarchical and bureaucratic administration with a notable tendency towards decentralization and association of the popular element in local government. Lastly, the post-Gupta period appears to have been marked by a tendency towards feudalization of the administration in Northern and Western India and the creation of a strong central administration along with local self-governing institutions in Southern India.

In the preparation of this monograph the author has greatly benefited by his study of the masterly work of Prof. M. Rostovtzeff entitled *Social and Economic History of the Hellenistic World* (3 volumes, Oxford, 1941) which has furnished him with valuable lessons in methodology for the purpose of interpreting our ancient political institutions. His indebtedness to other scholars, both Indian and foreign, for the supply of source-material and for opening avenues of discussion has been duly acknowledged, it is believed, in the course of this work. It has been the author's aim throughout to reconstruct as far as possible a complete picture out of the widely scattered data, to trace the logical development of institutions even in default of their accurate chronological sequence, and to explain this development in the light of the accompanying social and economic as well as geographical factors. It has often been found necessary for him to test current views of the significance of a large number of institutions. It has further been sought to find as far as possible exact English equivalents of numerous Sanskrit, Pali and Prakrit technical terms. Full references have been given to enable the reader to find out for himself the original sources. The judgements on numerous disputed points have been attempted after carefully balancing all lines of evidence, and they have been held to be provisional when the evidence is weak or insufficient.

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CHRONOLOGY OF PRINCIPAL LITERARY SOURCES

(Dates are given according to the latest or the most important authoritative opinion.)

A. Indian sources

800–400 B.C.	*Śrautasūtras* of Āpastamba, Āśvalayana, Baudhāyana, Kātyāyana and Satyāshaḍha (after Kane, *H of D*, Vol. II)
600–300 B.C.	*Dharmasūtras* of Gautama, Āpastamba, Baudhāyana and Vasishṭha (after Kane, *H of D*, Vol. III)
450 B.C.	Pāṇini (after V. S. Agrawala, *India*, App. I, pp. 455–73. Dates are 600–300 B.C. according to Kane)
400–300 B.C.	Works of Pali Buddhist canon (after Winternitz, *History of Indian Literature*, Vol. II)
400–300 B.C.	Precursors of Kauṭilya, author of the *Arthaśāstra*
300–200 B.C.	Kauṭilya (dates are 300 B.C.—A.D. 100 according to Kane)
Between 1st century A.D. and A.D. 400	*Divyāvadāna* (after Winternitz, op. cit., Vol. II, p. 286)
4th century A.D. or beginning of 5th century A.D.	*Mudrārākshasa*, drama (after majority of scholars quoted by Winternitz, *Geschichte*, p. 210, n3)

B. Foreign sources

1. Greek and Latin

Arrian; was *consul suffectus* and was still alive in A.D. 171–2.

Curtius; his life is fixed by his literary style to the first century A.D.

Diodorus; travelled in the Eastern Mediterranean *c.* 60 B.C. and lived till after 36 B.C.

Megasthenes; was representative of Seleucus at court of Sibyrtios, satrap of Arachosia, and was sent from there as the king's ambassador to 'Sandracottus' (Chandragupta Maurya) at Pāṭaliputra. He was probably sent after the treaty of friendship had been concluded between Seleucus and Chandragupta. In that case he would have started for Pāṭaliputra between 322 and 288 B.C. Notwithstanding all his mistakes the work of Megasthenes marks the climax of the knowledge which the Hellenistic world ever acquired of India.

Pliny the Elder; A.D. 23–79.

Plutarch; born at Chaeronea about the middle of the first century of the Christian era towards the close of the reign of the Emperor Claudius; he lived through the reigns of Nero, Domitian and Trajan and died about A.D. 120.

Strabo; born at Amasia in Asia Minor in 64 or 63 B.C.; seems to have lived to the age of 84. Two views about the date of his *Geography*, namely that it was written between A.D. 18 and 19 or in 7 B.C., the latter view being now taken to be more probable.

2. Tibetan

Tāranāth; born in A.D. 1573, completed his work in A.D. 1608.

3. Sinhalese

Dīpavaṁsa; written by an unknown author probably between the beginning of 4th and first third of 5th century A.D.

Mahāvaṁsa; written probably by Mahānāman in the last quarter of the 5th century A.D.

CHRONOLOGICAL TABLE OF PRE-MAURYA AND MAURYA PERIODS

(Only the most important sub-periods are noted here.)

B.C.		
c. 800–544	..	Late Vedic monarchies
c. 544–364	..	Kingdom of Magadha under dynasties of Bimbisāra and Śiśunāga and its contemporaneous States
c. 518	..	Conquest of Gandhāra and 'India' by Darius
c. 364–324	..	Empire of Nandas
c. 326–325	..	Alexander's invasion of India
c. 324–300	..	Reign of Chandragupta Maurya
c. 300–273	..	Reign of Bindusāra
c. 273–232	..	Reign of Aśoka
c. 232–187	..	Downfall of Maurya Empire

HISTORICAL TRADITIONS OF INDIAN RULERS AND THEIR GOVERNMENTS, AFTER INDIAN SOURCES

(Only those traditions bearing upon source-material of political institutions are quoted here.)

(*a*) Dispute between Śākyas and Koliyas over distribution of irrigation water on the boundaries of their States.

(*b*) Massacre of Śākyas by Viḍūḍabha, king of Kośala.

(*c*) Ajātaśatru's construction of a fort at Pāṭali; removal of capital of Magadha from Rājagṛiha to Pāṭaliputra by Darśaka.

(*d*) Fortification of Rājagṛiha by Darśaka.

(*e*) Renunciation of worldly life by the Śākya king Bhaddiya.

(*f*) Ajātaśatru's mission to Buddha preparatory to his war for conquest of Vaiśālī; his use of a new military engine in this war.

(*g*) Civic virtues of Vajjīs (Lichchhavis); later moral decline of Lichchhavis.

(*h*) Sale of Jatavana *vihara* at Śrāvasti by prince Jeta to the merchant Anāthapiṇḍika.

(*i*) Political murder of husband and sons of the lady Viśākhā by order of King Prasenajit of Kośala.

(*j*) Voluntary exile of Khaṇḍa, the general of a king of Videha, to Vaiśālī; his subsequent election as *senāpati* in this republic, election of his son in his place after his death.

(*k*) Capture and imprisonment of Udayana, king of the Vatsas, by Pradyota, king of Ujjayinī, and his subsequent escape from imprisonment.

(*l*) Ancestry of Mahāpadma Nanda founder of the Nanda dynasty of Magadha; his destruction of all contemporary Kshatriya dynasties; his military strength; his public works; his regulation for control of weights and measures.

(*m*) Ancestry of Chandragupta Maurya and his early career; account of his abdication.

(*n*) Aśoka's early career and the later years of his reign.

LIST OF PRINCIPAL STATES OF THE PRE-MAURYA PERIOD

1. STATES OF THE FIRST PHASE (NAMELY, THE LATE VEDIC PERIOD) Kamboja, Kekaya, Gandhāra, Madra, Uśīnara (in Indus basin); Matsya, Kuru, Pañchāla, Kāśi, Kośala, Videha (Gaṅgā basin), Vidarbha, Assaka, Daṇḍaka (in the Deccan).

2. STATES OF THE PERIOD OF EARLY BUDDHIST LITERATURE

Three traditional lists of States of the second phase, namely, the period of predominance of four large States.

(*a*) States comprised in a category of 16 *mahājanapadas* (after Pali Buddhist canonical texts): Kāśi, Kośala, Aṅga, Magadha, Vajjī (Skt. Vṛiji), Malla, Chetiya (Skt. Chedi), Vaṁsa (or Vatsa), Kuru, Pañchāla, Machchha (Skt. Matsya), Surasena, Assaka (Skt. Asmaka), Avantī, Gandhāra and Kamboja. The above list is repeated with substitution of Śibi and Daśārṅa for Gandhāra and Kamboja in *Mahāvastu* (Vol. I, p. 34).

(*b*) States comprised in a category of 16 *mahājanapadas* (after the Jaina canonical work *Bhagavatī-sutta*): Anga, Banga (Pali and Skt. Vanga), Magaha (Pali and Skt. Magadha), Malaya, Mālavaka, Achchha, Vachchha (Skt. Vatsa), Kochchha, Pāḍha, Lāḍha (Skt. Rāḍha), Bajji (Pali Vajjī), Moli, Kāśi, Kośala, Āvāha and Sambhuttara.

(*c*) Leading examples of *janapadas* existing at the time of Buddha's birth (after *Lalitavistara*, Lefmann's ed., pp. 121–3): Kauśalakula, Vaṁśarajakula, Vaiśālī-mahānagarī, Pradyotakula, Mathurā-nagarī of king of Kaṁśakula, Hastināpura-mahānagara of king of Pāṇḍavakula, Mithilānagarī, residence of the Maithila king.

3. LIST OF PROVINCES WITH THEIR CAPITALS AND OF DEPENDANT PEOPLES OF THE MAURYA EMPIRE AT ITS GREATEST EXTENT UNDER AŚOKA

Provinces :
(*a*) Home province — Pāṭaliputra,
(*b*) North-West province — Takshaśīlā,
(*c*) Western province — Ujjayinī,
(*d*) Eastern province — Tosali,
(*e*) Southern province — Suvarṇagiri.
Dependant peoples :
(*a*) Andhras,
(*b*) Palidas,
(*c*) Bhojas
(*d*) Raṭhikas or Petenika-Raṭhikas.

PART ONE

THE PRE-MAURYA PERIOD

CHAPTER I

INTRODUCTION

THE period extending from the close of the Vedic Age in the seventh and eighth centuries before Christ down to the end of the imperial rule of the Nandas of Magadha and of Macedonian dominion within the tracts to the east and the west of the Indus basin respectively at the opening of the last quarter of the fourth century B.C. — or to put it briefly the pre-Maurya period — is marked by great historical movements which were destined to leave their impress upon our country's history for centuries to come. It witnessed, to begin with, the expansion of the Vedic Aryans beyond their homelands in the Indus and upper Gaṅgā basins almost completely to our country's natural frontiers in the East and the South-east as well as in the extreme South. This movement paved the way for the evolution of a common pattern of culture, distinguishing the Indian people from the peoples of neighbouring lands. An index of the rise of this sentiment was the introduction for the first time of a common geographical term for our country, namely, *Jambudīpa* (in Pali) or *Jambudvīpa* (in Sanskrit).[1] The fifth and the sixth centuries before Christ also introduced for the first time a number of heterodox sects into our country's religious history. Two of these sects, namely, those founded by Mahāvīra and by Gautama Buddha, attained considerable celebrity in the following centuries. The development of social and economic conditions kept pace with these movements. To take a few instances, it was during this period that the individual and collective life of the community comprised within the pale of Indian civilization was sought to be regulated by the Vedic canonists in our oldest systematic treatises on Brahmanical social, civil and religious law called the *Dharmasūtras*. The Buddhist and Jaina canonists in their turn framed their respective codes for the guidance of the monastic orders as well as the laity in distinct sections of their canonical literature. These developments were accompanied by progress in the fields of agriculture, industry and trade. Simultaneously there arose independent branches of learning within as well as outside the circle of Vedic canonical studies. These are represented by our oldest works on metrics and lexicography, astronomy and the mathematical sciences, grammar and the science of polity. In the last two branches the peak was reached by the great work of Pāṇini, the author of the world-famed grammar called *Ashṭādhyāyī* ('The Eight Chapters') and the unique treatise of Kauṭilya on *Arthaśāstra* or the science of polity. The extraordinary range of the new branches of learning thus brought into being during this Age is crystallized in such stock lists as the four sciences (*vidyās*) and the eighteen practical arts (*sippas*) of the *Jātaka* tradition. The *Jātakas*, in particular, introduce us to such highly technical crafts as elephant-lore (*hatthi-sippa*), the art of navigation (*niyyāma-sippa*) and the art of archery (*dhanurvidyā*). These arts and crafts were hereditary within families which were headed by their master craftsmen and teachers (*āchāriyas* and *jeṭṭhakas*).[2]

A parallel development took place in the branch of political institutions. The Vedic period, as we have observed in an earlier work (*A History of Hindu Public Life, Part I*) marks the formative stage in the evolution of our ancient political institutions. To this period we have to assign (*a*) the rise of the territorial State in place of the original tribal polity; (*b*) the institution of kingship invested with supreme executive, judicial and military functions in dim outline; (*c*) the complete separation of the spiritual from the temporal power; (*d*) the creation of a State administration of which the executive, judicial and military branches may be broadly distinguished; (*e*) the creation of a social hierarchy supported by State authority and consisting of Brāhmaṇas as the privileged class and the Śūdras along with the Chaṇḍālas and others as the oppressed classes of the social system. The period with which we are here concerned was marked by the rise of two types of polity, namely, the monarchies and the republics (or quasi-republics). The former represented the dominant type and not only absorbed the latter, but were themselves eventually merged into a single Empire. The remarkable advance in the composition and functions of the monarchic States of the time is illustrated in such branches as the structure of the central government, political organization, economic organization, finance, law and justice, military organization, inter-State relations and local government. The republics developed their most interesting institution of Popular Assemblies with their distinctive rules of business procedure such as the placing of formal resolutions, decision by voting and reference of disputed points to committees of the assembly. It is hoped to bring out all the above features in the course of the present work.

The difficulties in the way of accomplishing the task just mentioned are sufficiently obvious, even if one steers clear of the prejudices to which reference has been made in the Preface. The difficulties are caused principally by the incompleteness and uneven distribution of our extant sources to which reference will be made presently. The sources consist chiefly of the surviving works on the Brahmanical social and religious law (*Dharmasūtras*) and on the science of polity (*Arthaśāstra*). Next in order of importance come the scattered notices in early Buddhist and Jaina literature as well as the references in other indigenous literary works. To these we have to add such slight evidence as is available from archaeology as well as from the records of foreign writers. While these sources throw some light upon selected aspects and periods of our subject, the evidence for other aspects and periods is remarkably scanty. The account of law and administration in the *Arthaśāstra* in many important respects lacks corroboration from other sources. The greatest difficulty is caused by the complete loss of the mass of original records and State papers of this period to which the work of Kauṭilya especially bears witness. In these circumstances we have to content ourselves with the nearest approach to the investigation of the condition of States and their administrations of our time. A truly authentic description of these conditions based however inadequately upon contemporary evidence can only be given from the Maurya period onwards.

SOURCES OF INFORMATION

The extant sources of our information about the States and their administrations in the pre-Maurya period may be divided under five heads, namely, (1) the *Dharmasūtras* and Kauṭilya's *Arthaśāstra*, (2) the early Buddhist and Jaina canonical and non-canonical literature, (3) other indigenous literary sources, (4) archaeological evidence, and (5) foreign evidence.

1. DHARMASŪTRAS AND THE ARTHAŚĀSTRA OF KAUṬILYA

These are the two most important of the extant sources for the purpose of our study. To begin with the *Dharmasūtras* ('Aphorisms of the Sacred Law'): these are short manuals on civil and religious law prepared by the authorities belonging to the latest Vedic schools. The limitations of the *Dharmasūtras* are due to their scope, for they are concerned primarily with the description of the duties and occupations of the constituent units of the social system in accordance with the canonical standards. Nevertheless, they give us in the context of their statement of the duties of the king an outline of the State administration. What is more, they anticipate the three-fold formal division of the later *Dharmaśāstras* ('Compendia of Sacred Law') so as to provide seprate sections on State law (*vyavahāra*), on general behaviour (*āchāra*), and on penance (*prāyaśchitta*). The value of the *Dharmasūtras* as one of our original sources is somewhat marred by the fact that these works were remodelled by the later writers, the greatest default being made in this respect by the extant *Vishṇusmṛiti*. Among the other extant works of this class the *Dharmasūtra* of Gautama is generally held to be the earliest and the most authoritative, while those of Āpastamba, Baudhāyana and Vasishṭha are held to follow the same in chronological sequence.

The *Arthaśāstra* of Kauṭilya represents a branch of learning which arose more or less independently of the Vedic tradition, and which was concerned, according to its own definition, with the art of government ('the acquisition and preservation of dominion') in the widest sense of the term. Kauṭilya's *Arthaśāstra* is the only complete work of this class that has come down to our times, the rest being known only from the quotations and references made by later writers. For our present purpose the authority of Kauṭilya's *Arthaśāstra* is superior to that of the *Dharmasūtras* in two respects. Firstly, in contrast with the meagre account of the *Dharmasūtras* it contains a much fuller description of the branches of central and local administration, of law and justice, of military organization and inter-State relations. Secondly, unlike the authors of the *Dharmasūtras*, Kauṭilya and his predecessors deal with problems of the State and government in a realistic spirit, as bearing upon the security and progress of the State and its subjects. Among the lost *Arthaśāstra* schools the most prominent are those of Manu, Bṛihaspati and Uśanas (Śukra), while Bhāradvāja, Viśālāksha and the un-named Teacher hold the chief place in the list of lost individual authorities.

2. EARLY BUDDHIST AND JAINA CANONICAL AS WELL AS NON-CANONICAL LITERATURE

References to the States and administrations of this period are scattered throughout the works of the early Buddhist and Jaina writers. In fact, for our information regarding the republics of this Age extracts from the above works are our main source. The same works have preserved a few valuable historical traditions of contemporary kingdoms and republics. Furthermore, the *Jātakas* (birth-stories of the Buddha) contain a mass of stories about kings and their officials as well as animal fables, giving us faithful pictures of contemporary conditions of State administrations. The above notices are collectively of great value in helping to check up the somewhat formal or one-sided systematic accounts of the *Dharmasūtras* and the *Arthaśāstra*.

3. OTHER INDIGENOUS LITERARY SOURCES

Under this head we have to mention firstly the valuable philological data in the grammar of Pāṇini and his school. The grammatical rules relating to the formation of the relevant derivatives and their explanations often throw precious light on the significance of the contemporary political institutions. Pāṇini's grammar and especially the Appendix (*Gaṇapāṭha*) on the same contain lists of geographical, administrative, legal and military terms which form a welcome addition to the stock of our knowledge on the subject. In the second place the historical traditions of famous kings of this period (such as Udayana of Kauśāmbī, Pradyota of Ujjayinī, and Darśaka of Magadha) are preserved in the dramas of the poet Bhāsa (4th century A.D. ?). The royal dynasties of this period have been commemorated in the Paurāṇic dynastic lists of later times. These lists are the nearest equivalent of the historical annals of other ancient lands.[3]

4. ARCHAEOLOGICAL REMAINS

The oldest Indian coins that have been discovered so far belong to this period. These coins fall into various categories, namely, single and bent-bar silver pieces, punch-marked and cast silver as well as copper coins. Bearing no legends but only symbols and other marks, the Ancient Indian coins are of much less value for historical purposes than the coins of other ancient lands. But their evidence is still of some importance from the point of view of the political and military organizations of the contemporary States. We also know from the indigenous literary sources the names of the famous towns of this period, such as Pushkarāvatī and Takshaśilā, Mathurā and

Kauśāmbī, Ujjayinī, Sāketa and Śrāvastī, Rājagṛiha and Pāṭaliputra. Pre-Maurya remains have been laid bare only at some of these sites (e.g. at Takshaśilā and Kauśāmbī), while Pushkarāvatī still awaits excavation. This evidence, for all its scantiness, is of great value in view of the introduction of scientific methods of excavation in our country in quite recent times. By way of illustration it may be mentioned that the remains of fortifications at the successive occupation-periods on some of the ancient sites have helped us to realize the military organization of the contemporary States. Again, the layout of towns and the construction of dwelling houses and other buildings throw light upon the political and military organizations of the States. Similarly, the antiquities discovered on the sites have been found to bear upon the topics of our inquiry.[4]

5. FOREIGN EVIDENCE

The testimony of the foreign writers is extremely limited in extent, but it is of high value. In the inscriptions of Cyrus and Darius as well as in the *History* of Herodotus, we have authentic accounts of the administration of the Indian provinces of the Achaemenid Empire at the height of its power. To the condition of the States and administrations of the Indus valley on the eve of Alexander's invasion, first-hand testimony is borne by the records of the Companions of Alexander, whose accounts have been preserved in the writings of later classical authors like Arrian and Strabo.[5]

The above survey is sufficient to indicate the imperfection of the sources of our information about the State organizations of this period. This defect is brought into strong relief by reference to what may be called the lost sources of history for those times. In truth, frequent references in Kauṭilya's *Arthaśāstra* introduce us to a whole series of contemporary State records, the first of their kind in our country's history. Some idea of the wide range of these records may be formed from the fact that Kauṭilya mentions royal writs and communications, a comprehensive State Register belonging to various departments of the administration, rules for the working of the administrative offices, complete registers of villages along with detailed village surveys and census reports, census reports of towns, and inventories of treasuries and store-houses. It may also be surmised from the evidence of the *Arthaśāstra* and other literary sources of this Age that royal charters for the grant of estates were known.[6]

POLITICAL HISTORY

In the history of the pre-Maurya Age, we can distinguish three more or less successive periods. These are, firstly, the period of independent States dating mostly from the late Vedic period; secondly, the period of large States on this side of the Doab between the Indus and Gaṅgā river-systems (the Cis-Doab region) and of the rise and fall of Persian (Achaemenid) rule in the Indus valley beyond the same (trans-Doab) region; and thirdly, the period of the Empire of the Nandas of Magadha and of independent States in the Indus valley.

As regards the first period our sources introduce us to a number of kingdoms extending from the extreme north-west of our country to the lower Gaṅgā basin and from the Himalayas to the Deccan. Such are Gandhāra and Kamboja, Kuru and Pañchāla, Kāśī and Kośala, Videha and Magadha, Avantī, Vidarbha and Mālava. Commemorative lists of the more powerful States of this period are preserved in the early Buddhist and Jaina canonical literature. It is to the States of this period that the mass of data comprised in the *Dharmasūtras* and in Kauṭilya's *Arthaśāstra* in our view mostly apply. In the second period we know the names of four large States that arose in the Cis-Doab out of the incessant scramble for power. These were the kingdom of the Vatsas of Kauśāmbī, the kingdom of Avantī and the kingdoms of Kośala and Magadha. Meanwhile, the farthest expansion of the Achaemenid power in the East under Cyrus and Darius was attended with the incorporation of the Indus valley in the Persian Empire and its division into three provinces, namely, Thatagu, Gandhāra and 'India'. The Persian dominion, however, passed away with the swift decay of the Achaemenids. For the history of the Cis-Doab during this period we have the help of traditions in later works. For our knowledge of the history of the Indus valley we are indebted to the inscriptions of the Achaemenid emperors and the *History* of Herodotus. During the third period we know that Mahāpadma Nanda, the founder of the Nanda dynasty, united the greater part of India proper under his rule by overthrowing all other contemporary dynasties.

The Nanda dynasty was in its turn supplanted by Chandragupta Maurya, the founder of the Maurya dynasty, whose rule marks the beginning of the second and concluding part of our work. In the Indus valley the downfall of Persian rule was followed by the rise of a number of independent States which in their turn were conquered by Alexander of Macedon and absorbed in his Empire. The premature death of Alexander, which was followed by the wars of succession among his generals, led almost immediately to the loss of these Indian conquests. For the history of the Nandas we are dependent on traditions preserved in various indigenous and foreign sources, while the conditions of the Indus valley on the eve of Alexander's campaigns are fairly well known to us from the records of his Companions.[7]

PATTERNS OF SOCIETY IN THE PRE-MAURYA AGE

The social pattern as it took shape in the pre-Maurya Age was the result of contemporary social, religious and economic movements. Firstly, as regards the social movements, we know that the original division of the people comprised within the zone of the Vedic Aryans into the two groups called Aryans and *Dasyus* (or *Dāsas*) was overlaid in the late Vedic Age by the complete stratification of society in the shape of the well-known division into the four *varṇas* or castes. The expansion of Aryan civilization which began in the late Vedic period and was completed during the present Age led to two

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contradictory social movements. On the one hand, it led to the standardization of the late Vedic pattern of society in the *Dharmasūtras*. This involved amplification and definition of the status of the four *varṇas* in such a way as to emphasise the privileges (as well as obligations) of the Brāhmaṇas in contrast with the Śūdras and the despised castes. On the other hand there arose in the eastern regions a variant of the orthodox social pattern, which was marked by the precedence of the Kshatriyas over the Brāhamaṇas and the substitution of the class of *gahapatis* ('householders') for Vaiśyas. A theoretical justification of this social type is found in the early Buddhist theories of cosmic evolution contradicting the Brahmanical dogma of the Divine creation of the universe. Secondly, the sixth and the fifth centuries before Christ saw the rise of great religious movements whose impact was destined to continue for many centuries afterwards. These movements gave rise to the oldest non-orthodox communities of lay worshippers and monastic orders known in our country's history. The monastic fraternities of the Buddhists and the Jainas especially were knit together severally by their strict rules of internal discipline. In the third place the present period, to judge from the evidence of our extant records, was marked by an appreciable advance in the economic condition of the people. This led to the multiplication of crafts and professions which were ordinarily, though not universally, pursued as hereditary occupations. Another consequence was the rise of capitalistic and guild organizations of industry and trade alongside the age-old domestic system. The industrial guilds especially came into prominence during this Age.

It is in the complex social milieu described above that we have to trace the evolution of political institutions of the pre-Maurya Age.

REGIONAL DIFFERENCES

One result of the expansion of the Vedic Aryans, to which reference has already been made, was the rise of sharp differences between the customs of different regions. Among these regions the conventions and practices of *Āryāvarta* ('land of the Aryans') were declared to be the standard for observance by the whole community in the *Dharmasūtras* of Vasishṭha and Baudhāyana. Some peculiar social institutions of Prāchya ('the Eastern region', roughly corresponding to *Āryāvarta* of the *Dharmasūtras*) are noticed by Pāṇini. Again, Baudhāyana in a famous passage distinguishes five peculiar practices relating to food, drink and occupation of the inhabitants of the North from the same number of practices prevalent in the South.[8] How the problems arising from these differences were sought to be met in the authoritative *Dharmasūtra* and *Arthaśāstra* systems will be described in the course of this work.

CHANGING PATTERNS OF POLITY

We may attempt here to summarize what we think to be the successive stages in the history of Ancient Indian polity during the centuries covered by the present volume. The principal features of the first and the second periods, which make them an epoch in the history of political evolution of our people in ancient times, are as follows :

(*a*) Rise of the territorial State as the normal type of polity (Chapter II) ;

(*b*) Clear definition of the attributes and functions of kingship (Chapter II) ;

(*c*) Creation of a staff of officials in the monarchic State with more or less distinctive qualifications and functions and culminating in a bureaucracy with definite methods of recruitment and selection and rules of office procedure (Chapters II–III);

(*d*) Institution by the monarchies of new lines of State policy directed towards such fundamental aims as the promotion of public security and welfare, the security and progress of the State and maintenance of the Brahmanical pattern-State (Chapter IV);

(*e*) Adoption by the monarchies of a definite economic policy directed towards encouragement of agriculture and control of industry and trade as well as the starting of State capitalistic enterprises (Chapter V), with simultaneous institution of the first system of State finance (Chapter VI);

(*f*) Development of law and justice, military organization and local government in the monarchic State (Chapters VII, VIII, IX);

(*g*) Rise of republican and mixed polities with their distinctive constitutions and rules of business in the Popular Assemblies (Chapter X);

(*h*) Creation of a system of inter-State relations (Chapter XI).

As for the third period little definite is known about the institutions of the Imperial Nandas, although it is certain that they must have laid to some extent the foundations of the Maurya Imperial administration (Chapter XII). The kingdoms and republics of the Indus valley, belonging to the interval between the two periods of foreign rule, appear to have functioned on the same lines as those of the interior (Chapter XIII).

APPENDIX A

ON THE APPLICATION OF THE DATA RELATING TO STATES AND THEIR ADMINISTRATION IN THE DHARMASŪTRAS AND IN KAUṬILYA'S ARTHAŚĀSTRA

Throughout Part I of this work we have taken up the position that the ample data of the *Dharmasūtras* and the *Arthaśāstra* of Kauṭilya bearing on our subject belong to the pre-Maurya Age extending roughly from 800 to 326 B.C. It is now necessary to state that the *Dharmasūtras* can only be dated very approximately, while both the date and the authorship of Kauṭilya's work have formed the subject of a keen and prolonged controversy which has not yet ended. According to the chronological scheme adopted by the latest authority on this point the works of Gautama, Āpastamba, Baudhāyana and Vasishṭha are dated between 600 and 300 B.C., while *Vishṇu-Dharmaśāstra* and the *Śaṅkha-Likhita Smṛiti* belong to the period from 300 to 100 B.C. Again, according to the Indian literary tradition Kauṭilya's *Arthaśāstra* is the work of Chāṇakya the reputed minister of Chandragupta Maurya who was the chief architect of his rise to power on the ruins of the Nanda dynasty of Magadha. This tradition has been strongly accepted by some scholars and as vigorously opposed by others in our times.[9] Leaving aside the difficulties created by the chronology of the later *Dharmasūtras* as well as by the controversy about the date of the *Arthaśāstra*, we have to consider here the question of the applicability of the *Dharmasūtra* and the *Arthaśāstra* data to our period in the light of the internal evidence. Firstly then, descriptions of the State organizations in both sets of works fit in on the whole with the conditions not of the Empire of the Mauryas or even that of the Nandas, but of the independent States grouped together in the immediately preceding period. The *Dharmasūtras* on the whole contemplate a relatively small territorial State consisting of towns and villages, but no higher administrative centres, and having few contacts with other States. By contrast the Kauṭilyan polity has a highly organized internal administration in all its branches, while externally it is joined with other polities in a State system. In Kauṭilya's explanation of the objectives of the policy of acquisition of dominion, in his comparative estimate of the relative advantages of the two historic trade-routes of our subcontinent (the Himalayan and the Southern) we can detect his awareness of the goal of an all-India dominion. But this is only an aspiration and not an achievement. The same remark applies to Kauṭilya's definition of the sphere of influence of the *Chakravartī* or universal emperor as 'the territory on earth spreading towards the South from the sea to the Himalayas which is a thousand *yojanas* in extent when measured in a straight line'.[10] In the next place the structure of Chandragupta Maurya's civil and military administration which is described so vividly by Megasthenes is of a different type from that of the Kauṭilyan State. We may illustrate this by reference to the Maurya Municipal Commission and the Maurya Army Board (each consisting of 30 members divided into six boards with distinctive functions) in contrast with the three tiers of town officials and the hierarchy of military officers in Kauṭilya's work. Thirdly and lastly, the nomenclature of Maurya officials in Aśokan inscriptions, which was no doubt inherited by him mostly from his two immediate predecessors, has little in common with that of Kauṭilyan officials. For apart from the difference in the general designation of the officials (*mahāmātra* in Aśoka's inscriptions and *amātya* in Kauṭilya), the most important officials of the Aśokan administration, namely, the *rajjukas* and the *prādeśikas* are unknown to Kauṭilya.[11]

CHAPTER I

NOTES

[1] This is the most usual designation for our country in the works of Buddhist and Jaina literature. The refs. in the *Jātakas* are given in the *Jāt. Index* s.v. *India called Jambudīpa.*

[2] The list of four *vidyās* (*KA* I 3) consists of *trayī*, *ānvikshīki*, *vārttā* and *daṇḍanīti*, which may be freely translated as the Vedas, Philosophy, Economics and Politics. References to be eighteen *sippas* (without enumeration of the same) are found in a number of *Jāt.* texts. (See *Jāt. Index* s.v.) For some selected references cf. No. 163, p. 46 (*hatthivijjā* or elephant-lore), No. 463, p. 137 (*niyyāmasippa* or art of navigation), No. 522, p. 129 (*dhanusippa* or art of archery) : ibid. p. 130 (archer's twelve different tricks known by as many technical terms).

[3] For a comprehensive and detailed survey of the literature of the Brahmanical Sacred Law (*Dharmasūtra* and *Dharmaśāstra*) from the earliest times see Kane, *History of Dharmaśāstra*, Vol. I, pp. 8ff. For a list of *Dharmasūtras* known to us from references in extant Sanskrit works, see K. V. Rangaswami Aiyangar, *Bṛihaspati-Smṛiti reconstructed*, Introduction, pp. 88ff. A comprehensive account of Buddhist and Jaina canonical literature is given by Winternitz, *History of Indian Literature*, Vol. II, pp. 1–173, 231–9. On Pāṇini and his grammatical school, see Agrawala, *India as known to Pāṇini*, pp. 48–62. The Paurāṇic dynastic lists during historical times are given in parallel columns in F. E. Pargiter's work *The Purāṇa text of the dynasties of the Kali Age.*

[4] Systematic excavations of Ancient Indian sites have been carried out by the Archaeological Survey of India only since its reorganization by Lord Curzon (the then Viceroy of India) in 1902. In recent times valuable excavations are being carried out likewise by Indian universities and learned societies. The results are being published in the *Annual Reports of the Archaeological Department of the Government of India* as well as in monographs of the learned institutions above mentioned. On Ancient Indian coinage the fundamental work is still the *Catalogue of the coins of Ancient India* (British Museum) by J. Allan, London, 1936.

[5] The fragments of the *Indica* of Megasthenes edited by A. G. Ross, 1904, can now be most conveniently studied in the English version of E. J. Robson, 2 vols. (1929 and 1933). The earlier version (in *Ancient India as described by Megasthenes and Arrian*, London, 1877) by J. W. M'Crindle is based on the edition of E. A. Schwanbeck (Bonn, 1846).

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[6] For a complete list of these lost historical sources see below, Chap. III s.v. *State records and registers.*

[7] For a good historical account of the pre-Maurya Age with full references see *PHAI* Part I, Chapters II–III, and Part II, Chapters II–III. Also see *Jāt. Index* s.v. *Kośala, Kurū, Magadha, Aṅga, Avantī, Vaṁsa kingdom, Damila kingdom.*

[8] Refs. (a) Vas. I, 8ff. Baudh. I 1.2. 9ff (authority and boundaries of *Āryāvarta*); (b) Pāṇ. VI 274 (*prāchyakrīḍās* or sports of the Eastern peoples); (c) Baudh. I 1.2. 3–4 (contrast between five peculiar practices of the North and of the South). On the identification of *Āryāvartta* after the data of the *Dharmaśāstras*, see Kane, *H of D*, Vol. I, Part 2, pp. 11–15.

[9] The above chronological limits of the *Dharmaśāstras* are given after Kane, *H of D*, Vol. IV, pp. ix–xii. For a recent critical examination of the date of *KA*, see *Age of Imperial Unity*, pp. 285–7.

[10] Kane, *H of D*, Vol. III, pp. 66–7.

[11] The contrary view (Radha Kumud Mookerjee in *Age of Imperial Unity*, Chapter II, and K. A. N. Sastri in *A Comprehensive History of India*, Vol. II, Chapter III, pp. 50–8) making out Kauṭilya's *Arthaśāstra* to be a faithful picture of the administration of Chandragupta Maurya ignores the arguments stated above.

CHAPTER II

THE MONARCHIC STATE—I. STRUCTURE OF THE CENTRAL GOVERNMENT

THE KING

INTRODUCTORY

The Vedic Aryans when they emerged on the stage of history consisted of a number of tribes ruled by kings. It was in the late Vedic period, as we learn from a few important references in the *Taittirīya Saṁhitā* (I 8.12 and II 3.3–4), that they developed a new type of polity, namely, the territorial. The territorial State appears to have become the normal feature of our political life in the following Age. This is proved by a number of facts. Pāṇini (IV 1.168) refers to geographical terms (which are illustrated with concrete examples by his scholiast) signifying at once a fixed territory and its ruling caste of Kshatriyas and its king. Again, the historical traditions of this Age which have been preserved most fully in the *Purāṇas* of a much later date mention a number of States with their ruling dynasties and their capital cities. The sites of these ancient cities have been identified and in many instances excavated by the labours of archaeologists in recent times. It is indeed significant that the works on law and polity in the pre-Maurya Age bear the stamp of a new awareness of the importance of geographical boundaries.[1]

The territorial States of this period may be divided into two classes, namely, monarchies and republics. We shall confine ourselves in the present and in the following chapters (Chapters III–IX) to the description of the monarchic polity which was, beyond doubt, the dominant State type of the pre-Maurya period. The Vedic State both in its early tribal and later territorial stage was normally ruled by a king (*rājan*) representing the temporal power (*kshatra*) in contrast with the spiritual power (*brahma*). The monarchic State was continued and developed in the following Age. The dynastic lists in the *Purāṇas*, which have preserved the ancient traditions, contain the names of a large number of royal lines traceable to pre-Maurya times. Concrete references to some of these monarchies are found in the early Buddhist and Jaina literature. A list of such kingdoms may be made out from the place-names in Pāṇini's grammar. How the large number of kingdoms at this period impressed itself upon the popular imagination is shown by references in the *Jātaka* stories. The monarchy as a representative of the temporal power fixed itself in the concepts and categories of the authorities on Brahmanical civil and religious law as well as on the technical science of polity as the norms of Society and the State. For while the former held the king to be an essential unit of the social order, the latter placed the ruler at the head of the constituents of the State technically called the *prakṛitis*.[2]

AUTHORITY OF THE TEMPORAL RULER OR KING

The king in the pre-Maurya Age is credited at least in the advanced systems with supreme executive, judicial and military authority. The king's ruling power is indicated by old Vedic technical terms such as *īśvara, adhipati* and *svāmī* with the derivatives of the first two terms, namely, *aiśvarya* and *ādhipatya* (Pali *ādhipachcha*). To these we have to add the old Vedic title *kshatra* meaning, as we have just observed, the temporal power in contrast with *brahma* or the spiritual power. A new term indicative of the royal power is *oggaha* (Sanskrit *avagraha*) of early Jaina texts. The most overt expression of the king's ruling authority in the *Dharmasūtra* and *Arthaśāstra* works is what is technically called *daṇḍa*.[3] This implies his right of punishing criminals irrespectively of their rank or status. Mention may be made in the present context of what were regarded, according to popular ideas of this period, as the external symbols of the king's authority. These consisted, according to the *Jātaka* stories, of the five regalia, namely, the fan, the diadem, the sword, the canopy and the slippers. Of these the white canopy (*setachhatta*) was so particularly associated with kingship that raising the umbrella over one's head was held to be synonymous with making one king. The king was credited moreover with possession of the State horse (*maṅgalāssa*), the State elephant (*maṅgalahatthī*), and the State chariot (*maṅgalaratha*). Of these the first two were regarded as palladiums of security and prosperity of the kingdom.[4]

PREROGATIVES OF THE KING

An important consequence of the pre-eminence of kingship noticed above was the rise of a body of royal prerogatives alike in the systems of the Brāhmaṇa canonists and the technical works on polity. But while the king's prerogatives are stated in the former case chiefly in terms of his social status as well as security, they are concerned in the latter instance principally with protection of his authority, his property and his dignity. The former, again, are supported by spiritual and social sanctions, while the latter are enforced by clauses of State law. The roots of this difference lie in the fact that while the canonists are concerned primarily with the working of the social order, the technical writers confine their attention chiefly to the working of the State administration.

Let us now proceed to justify the above statements. The *Dharmasūtras*, to begin with, not only make general statements about the pre-eminence of the king's status but give concrete illustrations of the same. Among the specific prerogatives of the king described in these works may be mentioned the following :

(*a*) Title to the most coveted social distinctions of the time. The king is entitled not only to the guest-offering (*arghya*), but also to the higher honour of honey-mixture (*madhuparka*) at the time of visiting a householder. The king again is included in the list of those for whom the way must be given, it being specially mentioned that this right is next only to that of the Brāhmaṇa (or alternatively, the learned Brāhmaṇa or the Vedic student who has just returned home).

(*b*) Perpetual immunity from ceremonial impurity. The king and the Brāhmaṇa, it is declared in general terms, are always pure. This is amplified and explained by the statement that kings become pure immediately after committing 'acts causing death', while they remain constantly pure when committing 'acts not causing death'. From the above follow the corollaries that death at the king's hands releases the relatives of the deceased at once from impurity, that Vedic study should be interrupted and there is universal impurity at the death of the king, and that the householder must not eat his meals even when the king is in distress.

(*c*) Protection of person, family honour, and authority. The murderer of a king, we are told, must be cast off, even if he be one's father, and the crime itself must be expiated with a severe penance extending over twelve years. According to another account connexion with the king's wife is as heinous a sin as the violation of the preceptor's bed. On a different footing stands the clause in the historically late *Vishṇusmṛiti* which includes in a list of offenders punishable with death those who cause injury to the seven constituents of the State, those who forge royal edicts and writs, and those who though of humble birth aspire after sovereignty. It is practically certain that this clause so unlike the usual trend of the *Dharmasūtra* injunctions on this point was borrowed from the system of the *Arthaśāstra*.[5]

The prerogatives of the king in the *Arthaśāstra* system may be summarized after Kauṭilya under two heads, namely (*a*) protection of the king's person as well as authority and dignity, and (*b*) protection of the government revenue and of the king's property in general.

Firstly, as regards protection of the king's person and authority, Kauṭilya introduces us in different contexts to the clauses of what may be called a comprehensive law of treason which is the first of its kind in our ancient history. In Kauṭilya's section on civil law (Section III, Chapters 3, 16) penalty is laid down for expressing hatred of the king, for counterfeiting the king's edict or seal and even for making a gift over the king's head out of pride. The point is carried still further in several chapters of the section on the extirpation of thorns (Section IV, Chapters 8, 9, 11). Thus a graduated scale of penalties ending with death, according to the status of the criminal, is to be awarded for counterfeiting the king's edict or seal; the penalty of mutilation (or alternatively, a heavy fine) is to be inflicted for prophesying the king's misfortune, for tampering with the royal edict or even for riding the king's mount or conveyance: death with torture is prescribed for designing to seize the throne, for violating the sanctity of the king's zenana, for instigating

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the foresters and the king's enemies, and for causing disaffection in the rural and urban areas as well as among the king's troops: the penalty of impalement is laid down for injuring or stealing the king's elephants, horses, and chariots, while mutilation is prescribed for reviling the king.

Secondly, as regards security of government revenue and in general of government property, Kauṭilya's laws are scarcely less drastic than those mentioned above. In the first place he prescribes (II 8) a scale of penalties for the officer causing loss of revenue from eight specified causes as well as for the office clerks guilty of various forms of embezzlement. Injuring or stealing the king's horses, elephants or chariots, we are told in another context (IV 11), is to be punished with impalement of the offender. In his chapter entitled *Security of all government departments* (IV 9), the author prescribes the penalty of death with or without torture for theft from the State granaries as well as from the State factories for the manufacture of various mineral substances (*ratnas*) and agricultural products (*sāras*). This is accompanied, aptly enough, by parallel tables of severe penalties for theft from State shops and stores in the 'government area' (*rāja-parigraha*) and of a list of much less harsh penalties for theft in day-time from threshing floors and fields as well as residences and shops belonging to 'the outer areas' (*bāhya*). After this it is no wonder that the author prescribes (III 19) a double scale of fines for cutting off leaves, branches and trunks of trees marked with the royal sign, or standing in the king's garden, in comparison with the penalties for injuring other trees.

The early Buddhist canons have preserved two quasi-historical stories relating to the kingdom of Magadha in Buddha's time which partly corroborate the application of Kauṭilya's law of treason. From the first story we learn that death with torture was the normal penalty not only for deserters from military service, but also for the Buddhist monks abetting their act. The second story indicates the fluidity of the law prescribing the penalty of death for attempting the king's assassination.[6]

THE KING'S QUALIFICATION OF KSHATRIYA BIRTH

We have seen above how Kshatriya birth was regarded as the primary qualification of kingship not only in the *Dharmasūtra* and *Arthaśāstra* systems, but also in the works of early Buddhist literature. The scholiast on Pāṇini refers to a State (*janapada*) giving its name to the realm of men of the Kshatriya caste as well as to its king. There were indeed exceptions to the general rule of Kshatriya birth for kings in the *Jātaka* stories ; we read of the elevation of a *purohita* or an elephant-trainer or a merchant to the throne. But on the whole there seems to have been good ground for the popular generalization in a *Jātaka* story (No. 390, p. 299) that all kings are Kshatriyas. A characteristic feature of this caste feeling among the royal order is revealed in another story (No. 479) of the *Jātakas*. Here we are told how a prince and a princess accidently meeting each other in a forest joined themselves only after utterance of the *Khattiya-māyā* ('the Kshatriya formula') as a proof of their caste. The corollary of the king's Kshatriya birth in the *Dharmasūtras* is that he is bound by the rules of his order to protect his subjects. That this was not an empty phrase is proved by a fresh *Jātaka* story (No. 537, p. 409) stating how a king's breach of his duties toward his subjects was held to be a sufficient ground for his deposition. We have, however, no contemporary historical documents to prove this point.[7]

RULE OF ROYAL SUCCESSION

The rule of hereditary succession to the throne by primogeniture in the male line appears to have been well established in the Age of the Vedic *Saṁhitās* and the *Brāhmaṇas*. This rule was continued as the normal practice in the pre-Maurya Age. The dynastic lists of the *Purāṇas*, however late they might be in point of chronology, point to the lineal succession of kings. Kauṭilya in his *Arthaśāstra* (I 17) while recommending the king to select his self-controlled son out of many sons for the office of heir-apparent, declares that rulership (*aiśvarya*) descending on the eldest son is the approved procedure except in a calamity.

The *Jātaka* stories illustrate the currency of this approved law of succession in actual practice. We have, it is true, instances of a queen sharing the burden of government with the ministers after the king's death without an heir, and of a king securing succession for his youngest and favourite son out of many sons by a broad hint to the ministers from his death-bed. Such instances, however, are exceptional. The normal rule in the *Jātakas* is for the son (or for the eldest son when there are several sons) to succeed his father by nomination after his death.[8] In the absence of a direct male heir the king often nominated his sister's son as his successor and his own daughter for selection as the latter's Chief Queen. For the rest, the *Jātakas'* mention of the expedients of a childless king for raising issue to his queen recall those recommended by Kauṭilya (V 6) to an *amātya* for securing the succession in the royal line, when the king has been suddenly struck down by illness and death. The *Jātaka* evidence is of unique importance in preserving the memory of an expedient, unknown to any other source, for filling the vacancy to the throne. This consists of the festal car ceremony which has been justly interpreted by a German scholar to signify a clever device of the ministers for securing popular approval of their selected candidate by an ostensible appeal to supernatural authority.[9]

THE KING'S CONSECRATION AND ITS IMPLICATIONS

The Vedic *Saṁhitās* and the *Brāhmaṇas* introduce us to various types of royal and imperial consecrations with their complex rituals. These ceremonies are summarized in the works called *Śrautasūtras* ('Aphorisms of the *Śrauta* sacrifices') which are the counterpart of the *Dharmasūtras* ('Aphorisms of the Sacred Law'). The *Jātakas* introduce us to a popular version of the Vedic ceremony. In this case the new king is raised on a chair of fig-wood or on a heap of jewels, and then the priest (generally the *purohita*, or the royal chaplain) sprinkles his head with sacred waters out of a conch or three conches, after which the white umbrella is raised over him. How much, nevertheless this ceremony was held to be an essential requisite of kingship during this period is proved by the phrase frequently applied to the king in the early Buddhist works: 'the Kshatriya whose head has been sprinkled with the sacred waters' (*mūrdhābhisitta khattiya*). The elaborate description of the Vedic ceremonies of royal and imperial consecration is full of great constitutional significance, which is obviously wanting in the popular ceremony above described. Nevertheless, the king's consecration has always been recognized to be an event of great political importance. From a reference in Kauṭilya (II 6) we learn that the financial year in the kingdom was held to begin from that event. In the following period Emperor Aśoka dated all the principal events of his reign from the year of his consecration. In the Paurāṇic historical tradition the consecration of King Nanda (the founder of the line) was held to mark the terminal point of a famous chronological datum line.[10]

SOME VARIANTS OF THE NORMAL TYPE OF MONARCHICAL POLITY

Apart from the type of hereditary monarchy already described the Vedic *Saṁhitās* and the *Brāhmaṇas* acquaint us with another type of polity which we have characterized in another place, for want of a better designation, as 'dynastic government'.[11] This tradition is continued during our present period in the shape of what is technically called *kularājya* (joint rulership by members of the royal house). An example is quoted in a *Jātaka* story (No. 454, p. 84) where we are told how ten brothers who had seized the throne of the capital city of Uttarāpatha conquered all India and divided their kingdom into ten shares.[12] This involved the division of the kingdom into separate administrative jurisdictions among the royal princes. The above account is corroborated by another story (No. 462, p. 431) where we read how a king gave each of his hundred sons a *janapada* to live in, as soon as the princes had completed their education. Only the youngest son instead of accepting his patrimony preferred to stay with his father.

In contrast to the above we have an imperfect and a confused picture of the characteristics of the *kularājya* in Kauṭilya's work. On the one hand this type of joint rulership by the royal house is recommended (I 17) as an alternative to a king's nomination of his eldest son as heir, on two specific grounds. It is, we are told, invincible because of its members, and permanent because of its immunity from the traditional vices of a single ruler. On the other hand, and somewhat inconsistently, we read (VIII 3) that royal families (*rāja-kulas*) partaking of the characteristics of the functional groups called *saṁghas* are addicted equally with the *saṁghas* to gambling.[13]

THE OFFICIALS

INTRODUCTORY

THE elements of a State administration signifying rule by a king with the help of his body of advisers and assistants may be traced back in Ancient India to the Vedic Age. The Vedic *Saṁhitās* and the *Brāhmaṇas* acquaint us with the designations of civil and military officials as well as officials of the central and local governments, whose precise functions, however, are unknown because of the obscurity of the texts. The two leading features of the Vedic polity which were bequeathed to the following centuries are: firstly, the separation of the temporal power represented by the king from the spiritual power of which the Brāhmaṇas were the representatives; and, secondly, the creation of a military command distinct from the civil authority.[14]

The pre-Maurya period with which we are concerned at present witnessed one outstanding achievement, namely, the creation for the first time of an organized civil and military service consisting of officials with more or less well-defined functions. In the advanced system of the *Arthaśāstra* this was accompanied by rules for recruitment and selection of the officials and their classification and gradation according to fixed salaries in cash. This involved, in a word, the creation of a bureaucracy, which was the first of its kind in Ancient India. The explanation of this development is found in the immense expansion of the State's activities calling for a corresponding development of the administrative machinery (see Chapter III).

The generic designations of officials in the pre-Maurya Age are *amātya* in Sanskrit or *amachcha* in Pali, *mahāmātra* in Sanskrit or *mahāmatta* in Pali and less frequently *sachiva*. The first title is used most frequently in Kauṭilya's *Arthaśāstra* and in the *Jātakas*, and the second in early Buddhist and Jaina canonical texts, while the third is of much less frequent occurrence. The first and third titles may be traced by obscure references to the Vedic Age, while the second, by way of contrast, appears to be an innovation of the pre-Maurya period. The highest order of *mahāmātras* is distinguished in some Pali canonical texts by the addition of the prefix *rājan* or ruler. The rank of this officer is indicated by his being bracketed in some passages with the *rājan* or king. We have for example the simile (*DN* I 103–4, *MN* I 215) of a *rājan* or a *rājamahāmātra* who has a clothes-chest filled with clothes of diverse colours and who wears appropriate suits for morning, midday and evening wear.

Divisions of the subject

A. Separation of the king's household and State administration.
B. Recruitment and selection of officials.
C. Classification and gradation of officials.
D. Role of the *yuvarāja*, the *purohita*, the *mantrī* and the *senāpati*.

A. SEPARATION OF THE KING'S HOUSEHOLD AND STATE ADMINISTRATION

We have mentioned above the creation of a regular civil and military service as the characteristic of the pre-Maurya Age. Nevertheless strong traces of survival of the old Vedic tradition of the king's household administration are preserved in the records of this period. In the *Jātaka* stories we have instances in the usual folklore style of *amachchas* helping the king to surmount the difficulty caused by his inconvenient agreement with an ogre, of preventing a king's dishonest deal with horse-dealers, of curing a king of his physical and mental ailments and worries by practical advice, of selecting good Brāhmaṇas for participation in his ritual feast, of restoring a much injured queen to the king's favour, and at a higher level, of instructing him in righteousness.[15] In contrast to the above account the line of separation between the king's household and his general administration is clearly drawn in Kauṭilya's *Arthaśāstra*.

Kauṭilya, it is true, recommends (I 10) that the *amātyas* should pass the appropriate tests before being selected for the posts which involved guarding the royal ladies and the king's person. What is more, the officials of the king's household are included by him (V 2) along with the civil and military officials in the king's Civil List. Nevertheless, the *amātya* in the *Arthaśāstra* figures fundamentally as a State official. The *amātya's* office is justified, significantly enough (I 7 and 9), by the impossibility of one-man rule as well as the wide distribution of governmental functions in place and time. Again the *amātya's* qualifications, which are described with characteristic detail, are taken to be the standard for selection of high officials. Thus we are told (II 6, II 1, IV 1) that high executive and judicial officers like the *adhyaksha*, the *dharmastha* and the *pradeshṭā* should possess the *amātya's* qualifications in full. Again, the *dūtas* (q.v.) are divided (I 16) into three categories according as they possess the *amātya's* qualifications in full or only one-half or one-fourth of the same. Above all, the *mantrī* was required (I 10) to have passed all the four tests (those of virtue, wealth, lust and fear) that are laid down for the selection of *amātyas* for higher posts.

B. RECRUITMENT AND SELECTION OF OFFICIALS

The rise of the civil and military services to which reference has been made above gave rise in the *Arthaśāstra* system to the new problem of recruitment and selection of the officials. As for the first problem Kauṭilya (I 8) quotes a discussion of the same by the early masters of the science, which turns on the question of discovering the right type of men for the office. Kauṭilya winds up the discussion with the sensible remark that a person's capacity is tested by his fitness for performing his work, and that the king therefore should appoint persons to the post of *amātyas* after considering their requisite qualifications (as specified by the author) as well as the conditions of time and place and the nature of their work. As regards the second problem Kauṭilya (I 10) contemplates the examination of *amātyas* by a kind of Selection Board consisting of the king, the *mantrī* and the *purohita*. The examination (lit. 'purification') consists according to the *Arthaśāstra* masters in the candidates' passing four different tests (*upadhā*) called after three traditional aims of human existence, namely *dharma* or virtue, *artha* or wealth and *kāma* or desire, as well as the elementary human sentiment of fear (*bhaya*). The process of examination is admittedly crude and is criticized as such by Kauṭilya himself. The application of the tests, however, introduces us to a new phase in our ancient administrative history, namely, that of the specialization of offices.[16] Concrete references are found in Kauṭilya's work to the distinctive qualifications of the *mantrī*, the *senāpati*, the *purohita*, the *adhyakshas* and so forth. Similar but shorter references are found in the *Dharmasūtras* to the qualifications of the *purohita*, the *sabhāsads* or assessors and so forth. Though we have no historical examples of this kind, we may reasonably infer that the advanced State administrations of the time conformed more or less to the same high standard.

C. CLASSIFICATION AND GRADATION OF OFFICIALS

The creation of the administrative services, which we have mentioned as a characteristic of this Age, was accompanied by some attempts at classification and gradation of the officials. The most original and complete of these classifications is found in a chapter (v 3) of Kauṭilya's work, where the State officials, along with members of the royal family and officers of the royal household, are enrolled in a consolidated Civil List of the king. The offices are grouped together in grades (altogether eleven in number) with cash salaries fixed for each grade more or less on the basis of equivalence of their status and functions.[17] This constitutes, it is not too much to say, one of the supreme achievements of the Ancient Indian genius for practical administration.

Let us consider in some detail the classification and gradation of officials in the Kauṭilyan account of the king's Civil List above mentioned. In the first place the *mantrī* and the *senāpati*, being the respective heads of the civil and the military administration, along with the *purohita* or the king's chaplain, are mentioned with the *yuvarāja* or the Crown Prince and high-ranking members of the royal family in Grade I. The *samāhartā* and the *sannidhātā*, being the chief executive officers in charge of revenue receipts and disbursements and of revenue deposits respectively, are mentioned with the *praśāstā*, the second in command of the army, in Grade II. The *nāyaka*, the third in command of the army, the *pauravyavahārika* (or the city judge), the *kārmāntika* (the superintendent of the State workshops), the *rāshṭrapāla* (district officer) and the *antapāla* (warden of the marches) along with members of the *mantriparishat* (the larger council of ministers) are joined with queens and princes of inferior rank in Grade III. The *mukhya* in charge of the *śreṇī* (commander of the *śreṇī* troops) and the *mukhyas* in charge of the State elephants, horses and chariots, along with the *pradeshṭā* (police magistrate) are joined together in Grade IV. The four categories of *adhyakshas* or military officers in charge of infantry, cavalry, chariots and elephants and the two categories of guards in charge of economic forests and elephant preserves are comprised in Grade v. A miscellaneous group of the king's attendants is placed in Grade vi. The seventh grade comprises all (civil) *adhyakshas* and five categories of stationary spies. The eighth grade consists of the *sāṇkhyāyaka* (accountant), the *lekhaka* (scribe), the trained infantryman and four categories of itinerant spies. The ninth, tenth and eleventh grades consist of similar groups of the lower grades of government employees, but it is unnecessary to quote their names here.

In the second place the salary scales for the first four grades are deliberately fixed so as to make the maximum use of their capacities for the State service. Thus the salary of the first grade is justified by the argument that with this amount of maintenance they would not yield to temptations or revolt against the king. The justification for the salary-scale for the second grade is that it thereby becomes fit for its job, and that for the third grade is that it thereby becomes part of the king's entourage and his helpers. The salary of the fourth grade is justified on the ground that the officers are thereby enabled to keep their respective groups (*vargas*) under proper control. The idea in other words is to ensure comfortable living and contentment for the first group, effective service for the second group, identification with the king's interest for the third group, and self-sufficiency for the fourth and the last group.

One important feature of the king's Civil List deserves special mention as reflecting the astonishingly advanced organization of services in the *Arthaśāstra* system. This consists of the provision for payment of pensions and gratuities for the king's officials and their families. 'The sons and wives of those that die while on duty', we are told, 'shall get subsistence and wages: young children, aged persons and ailing persons related to the (dying) officers shall be shown favour: on occasions of funerals, sickness or childbirth the king shall bestow money and honours on them.'

We may mention here two slight references to this system of classification and gradations in other passages of Kauṭilya's work. The eighteen top-ranking officials are grouped together (I 12) under the collective designation of *tīrthas* for the purpose of espionage on their private and public behaviour. The list comprises, with a few unimportant variants, the names included in Grades I–III already mentioned.[18] This cumulative evidence proves that the officials under notice are held to form the core of the service. In two other contexts (VIII 2, IX 3) the *amātyas* are divided into three grades according to the degree of their disaffection. The *amātyas* of the innermost circle, we are told, consist of the *mantrī*, the *yuvarāja*, the *senāpati* and the *purohita*. When we couple this with the fact that all the four officials above mentioned are included in Grade I of the Civil List, we may reasonably conclude that they form the apex of the bureaucratic structure. Next come the *amātyas* of the inner circle, below whom there are the *amātyas* of the outer circle (*bāhyas*).

Before leaving the present subject we may notice another characteristic feature of the Kauṭilyan organization of the State services, which testifies to the creation of a highly centralized administration. This consists in the concentration of a large number of offices and officers of the administration within the limits of the metropolitan city. In Kauṭilya's plan for the layout of such a city (II 4) specific sites are fixed for the residences of the *purohita*, the *mantrī*, the *nagaravyavahārika*, the *paṇyādhyaksha*, the *kārmāntika* and the *balādhyaksha* as well as for the *bhaishajyagṛiha*, the *paṇyagṛiha*, the *koshṭhāgāra*, the *bhāṇḍāgāra*, the *kupyagṛiha* and the *āyudhāgāra*. In other contexts (II 11, 12) reference is made to the working of the offices of the *lakshaṇādhyaksha*, the *akshapaṭalādhyaksha* and the *śulkādhyaksha* inside the city.

D. ROLE OF THE YUVARĀJA, THE PUROHITA, THE MANTRĪ AND THE SENĀPATI

We have characterized above in the light of a reference in Kauṭilya's *Arthaśāstra* the quartet of officers above mentioned as constituting the apex of the bureaucratic structure. We may pause here to describe after the data in the same work some of their distinctive attributes and functions.

1. *The yuvarāja*

The position of the *yuvarāja* or the Crown Prince is an institution unknown to the Vedic Age. A variant of this title, which occurs in early Buddhist texts, is *uparāja* or deputy king. The creation of this office evidently illustrates the strength of the dynastic principle in the set-up of the monarchic States of this period. From the fact stated above, that the *yuvarāja* is ranked by Kauṭilya among the *amātyas* of the innermost circle, it would seem that he was entrusted with some administrative functions. From another reference we may infer that the king's nomination of his qualified son to the office of *yuvarāja* or *senāpati* was regarded at this period as a good act of policy. The *uparāja* in the *Jātaka* stories appears to be a regular feature of monarchical administration. From this source we learn that the prince or the deputy king as he is called, forms a regular feature of the State administration in early Buddhist literature. Repeated references in the *Jātaka* stories show that a prince, on the completion of his education, was normally appointed by his father to the post of the *uparāja*: where there are two brothers, the elder brother becomes an *uparāja* on the completion of his education, and the younger one becomes the *senāpati*; and when the king dies, the elder prince ascends the throne as king and the younger becomes *yuvarāja*. A Pali canonical text (*AN* III 154) refers to a short list of the *uparāja's* qualifications comprising physical beauty, parental affection and popularity. The *Jātaka* stories, likewise, testify to the *uparāja's* high social status just below the king. But curiously enough, we have no certain information about his functions. It seems likely that these were chiefly of a

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ceremonial character. A reference to the office of the *yuvarāja* has been sought to be found in Pāṇini (VI 2.58), where the term *ārya-kumāra* has been plausibly interpreted[19] to mean the chief prince or the crown prince who was invested with the title of *ārya*.

2. *The purohita*

The extreme antiquity of the office of the *purohita* is proved by the fact that it goes back to the early stratum of the *Ṛigveda*. The Vedic *purohita* was credited with both spiritual and temporal functions. On the one hand, he was essentially the king's chaplain and took an active part in the performance of all the royal sacrifices. On the other hand, he exercised a general supervision over the kingdom, so as to earn the title of *rāshṭragopa* or preserver of the kingdom. The development of the *purohita's* office was continued along both lines in the pre-Maurya Age. The *purohita*, as Vasishṭha (XIX 3f) neatly observes, was to be appointed by the king for the fulfilment of his duties both as a householder and as a ruler. The Pāṇinian term *paurohitya* (V 1.128) meaning the nature (*bhāva*) as well as the function (*karma*) of the *purohita* no doubt epitomizes his complex role in relation to the king or the State. To begin with the *purohita's* spiritual functions : he performed, as we learn from Gautama (XI 17), rites for ensuring the king's prosperity as well as those for alienating the enemy's subjects.[20] A concrete illustration of the above occurs in *Āśvalāyana-Gṛihyasūtra* (III 12), which requires a *purohita* to accompany the king on his march for battle and to perform a series of elaborate rites for his protection at the time of fighting. Kauṭilya (IX 3) similarly requires the *purohita* to accompany the king on his march, and to encourage the troops at the time of fighting by the recitation of appropriate sacred texts while rites for ensuring the king's victory are being performed by the *purohita's* assistants. In another context (I 9) the *purohita* is required to overcome human and divine calamities by the performance of rites prescribed in the *Atharvaveda*.

More important for our present purposes is the account of our authorities about the *purohita's* temporal functions. The *purohita* is entrusted in two *Dharmasūtra* texts (Āpast. II 5.10, 12f and 5.11.1f) with the right of punishing Brāhmaṇa offenders guilty of non-performance of penances for breach of caste rules. This marks the nearest approach to ecclesiastical jurisdiction in our ancient history. The *purohita's* share in judicial administration is illustrated in the joint penance imposed in another text (Vas. XIX 40–3) upon him and the king for failure to punish the guilty and still more for punishment of the innocent. With this may be matched the right of protecting criminals, assigned by Āpastamba (II 10.27.20) to the *āchārya* (spiritual preceptor) and the *ṛitvik* (sacrificial priest).[21] In Kauṭilya's *Arthaśāstra* the *purohita* shares with the king in the acts of selection of *amātyas* for specialized posts (I 10), hearing of suits of learned men and ascetics at the audience-hall (I 19) and of delivering encouraging addresses to the troops at the time of battle (X 3).

The authors of the *Dharmasūtras* and the *Arthaśāstra* equally contemplate the *purohita* as guiding the king's policy. The king, says Gautama (xi 13), shall perform his acts under the *purohita's* instructions. According to Baudhāyana (i 10.18.18) the king shall abide by the *purohita's* directions. The king, observes Kauṭilya (i 9), shall honour the advice of his *purohita* as a pupil honours the advice of his preceptor, a son that of his father, and a servant that of his master. The above account is corroborated and supplemented in the *Jātaka* stories which may be taken more fully to reflect the conditions of real life. Firstly, as in the later Vedic *Saṁhitās* and the *Brāhmaṇas*, the *purohita* is described in the stories as performing sacrifices on behalf of the king. These sacrifices are often performed for the propitiation of minor deities, such as the *yakkhas* or demi-gods and the tutelary deities of trees and cities. The sacrificial ritual is often stated (probably with some exaggeration due to sectarian bias) as involving the wholesale slaughter of animals and even of human victims. This is in accordance with the tradition of the Vedic sacrificial ritual. On the other hand slight references are made to the *purohita's* function at the ceremonies of royal consecration, which are described with such fullness in the Vedic *Saṁhitās* and the *Brāhmaṇas*. Secondly, as in the *Dharmasūtras* and *Arthaśāstra* works of this period, the *purohita* is often mentioned as interpreting omens and portents relating to the king and his kingdom. In the stories of election of a new king by means of the festal car ceremony mentioned above the *purohita* first assures himself of the fitness of the fortunate individual by an examination of the marks of royalty on his foot. Thirdly, still more than in the *Dharmasūtras* and the *Arthaśāstra*, the *purohita* is figured as taking as conspicuous a part in State affairs as in affairs relating to religious sacrifices. This double aspect of the *purohita's* office is sometimes commemorated in the title applied to him, namely, *atthadhammānusasaka* ('the king's adviser in things temporal and spiritual'). As examples of the *purohita's* activity in temporal affairs, we may mention that he is described in some of the stories as launching and all but carrying out schemes of conquest of the whole of *Jambudīpa* on behalf of his master. That even the military department was not thought outside his ken is indicated by the stories of his advising the king about military strategy and about his successful defence of the capital city against a foreign enemy. Fourthly, the *Jātakas* emphasize still more than the Vedic texts the intimate personal relation between the king and his *purohita*. We read in some stories how the king honoured his *purohita* by addressing him as *āchārya* (teacher). In other stories we are told how the king's son and the *purohita's* son, being born on the same day and being brought up and educated together, maintained the same intimate relation after the prince's accession to the throne.[22]

We may now turn to an aspect of the *purohita's* office mentioned in the *Jātakas* but completely unknown to the authors of the *Dharmasūtras* and the *Arthaśāstra* for obvious reasons. This relates to the moral degradation of the *purohita* under the influence of personal ambition, greed or revenge. In carrying out his policy the *purohita* acted equally with cruelty and treachery. We are told how the *purohita*, taking advantage of a king's credulity, advised such barbarous measures as the treacherous murder of vassal kings for the purpose of completion of his sovereignty over the whole country as well as the horrible ritual slaughter of the royal family for the purpose of the king's attainment of divine sovereignty. In another story we read how a *purohita's* young son performed an impossible feat of completing his education in a week's time for ensuring his succession to his paternal office with its coveted perquisites. The moral degradation of the *purohita* is reflected with equal directness in the stories which describe him as taking bribes in the capacity of a judge or as even stealing money from the royal treasury.[23]

3. *The mantrī*

A characteristic development of the pre-Maurya period was the importance attached for the first time to the office of *mantrī* or the king's minister. This has to be explained in the light of appreciation of the enormous importance of *mantra* or counsel in State affairs by the leading authorities of our period. As Kauṭilya states in one place (I 15), all State undertakings depend upon *mantra*. The discussions of the *Arthaśāstra* authors (loc. cit.) help to bring out their sense of the comprehensive scope of *mantra* and the multifarious activities of the *mantrī*. The *Arthaśāstra* authors introduce us in the same context to a new technique of consultation between the king and his ministers. Because of the paramount necessity of secret consultation, the council-chamber is to be constructed so as to ensure the strictest privacy (I 15, I 20). With the same object extra precautions are taken against unconscious betrayal of *mantra* by the king and his ministers, deliberate betrayal being punished with death. In the king's daily routine (I 19) a specific time is fixed for the king's consultation with his ministers.

The functions of the *mantrī* in the *Arthaśāstra* system are of a three-fold character, namely, deliberative, administrative and ceremonial. As regards the deliberative functions, provision is made by Kauṭilya (I 15) for the king's fullest consultation with the *mantrīs*. The king is required to consult the *mantrīs* individually and collectively and to probe into the arguments for their advice. But characteristically enough he is explicitly required to form his own decision and act accordingly. At the joint session of the smaller and the larger councils of ministers the king is asked to accept the majority decision or else to act, as required, for the success of the undertaking. The administrative functions of the *mantrīs* are referred to in different contexts. The *mantrī* is associated with the king and the *purohita* in the selection of *amātyas* (I 10): he is charged with the direction of a special class of spies (I 11); and he is expected to accompany the king to the battlefield and encourage the troops with his address at the time of action (X 3). Elsewhere (V 2) we are told in detail how the *mantrī* should tide over the crisis in the fortunes of the royal family caused by a king's sudden illness and death and help to perpetuate the succession in the royal line. Coming lastly to the ceremonial functions of the *mantrīs*, we read in different contexts how the larger council is required to attend the king's formal reception of envoys (I 10), and how the *mantrī* is expected daily to wait upon the king at the palace after his rise from sleep (I 21).

We may pause here to notice in some detail the status of the *mantrīs* in relation to the king in this period. The historical traditions of the pre-Maurya and later Ages have preserved the names and in some cases even the memories of exploits of a number of chief ministers of kings.[24] In the *Jātaka* stories the *amachcha* is credited with the restoration of a ruined city, with the construction of forts, with the command of the army and with superintendence of public works. The *amachcha* is also stated in some stories as guiding the king's military policy. On a higher level the *amachcha* officiates for the king in the event of his temporary absence from the capital or withdrawal from State affairs. The *amachchas* are mentioned likewise as collectively deciding the question of succession to the throne when the heir is a minor or is inexperienced in State affairs, or when the throne is left vacant for want of an heir. How individual *amachchas* could exercise a commanding influence in the affairs of State and the king in spite of repeated difficulties caused by their capricious masters is illustrated by the stories of Vidhurapaṇḍita and Mahosadha.[25]

Other lines of evidence in the works of this period give us a different and evidently truer picture of the status of the *amātyas* (or *amachchas*) and the *mantrīs*. The conclusions which we may draw from Kauṭilya's *Arthaśāstra* on this point are the following. Firstly, the *mantrīs* constitute a purely advisory body, the decision on the points at issue being left entirely to the king's discretion : the association of the *mantrīs* with the king helps at most to keep alive the principle that he must govern the kingdom under advice. Secondly, the *mantrī* not only owes his office to the king's favour but he holds it at the king's pleasure. Thirdly, the *mantrīs* do not form an organized body with a fixed constitution: it was thus possible for one of the *Arthaśāstra* authorities to go so far as to suggest that the king should be his own minister.[26] The equally convincing evidence of the *Jātakas* is found in the stories of the two outstanding ministers, Vidhurapaṇḍita and Mahosadha above mentioned. In the first story the minister repeatedly and emphatically assures his hearers of his own low stature in comparison with the high status of his master. The second story shows how a most loyal and capable minister was repeatedly disgraced and even threatened with death by the orders of his suspicious master.[27] Above all, we have the important fact that the records of this period, however imperfect they might be, contain not a single instance of the ministers opposing or even debating the king's decision.

Kauṭilya (I 15) introduces us, as we have just mentioned, to a larger council of ministers (*mantri-parishad*) alongside the select body of *mantrīs*. While the king sits daily (as has been said above) for consultation with the *mantris* at a fixed period of the day, a joint sitting of the *mantrīs* and the *mantri-parishad* is called by the king only in emergencies. The nomenclature of the larger council is derived from the generic title *parishad* which is a genus consisting of different species. The *mantrīs* and the *mantri-parishad* are equipped with different qualifications and are assigned different grades in Kauṭilya's work, the *mantrī* is required to have passed all the four tests prescribed for the selection of *amātyas*, while the *parishad* is said to possess only the *amātya's* general qualifications (I 17) : the *mantrī* belongs to Grade I unlike the *parishad* belonging to Grade III. It is characteristic of the thoroughness and precision of Kauṭilya that he provides (I 19) for the king's consultation of absentee members of the *mantri-parishad* by correspondence for which a fixed period is laid down in his daily routine.

4. *The senāpati*

The *senāpati* who had his predecessor in the Vedic *senānī* is the head of the military branch of the administration in Kauṭilya's work. We shall see elsewhere (Chapter VIII) how his distinctive status is indicated in the *Arthaśāstra* by the quarters assigned to him in the camp as well as his position at the time of the military marches. It will further be shown how he is required in general terms to direct the four wings of the army. In the *Jātaka* stories it appears to be the normal rule for the king with two sons to appoint the elder one as *uparāja* and the younger one as *senāpati*. Where there are three brothers of the ruling house, the eldest is crowned king, the middle one is appointed *uparāja* and the youngest is appointed *senāpati*. This tradition is supported by the recorded historical instance of King Pasenadi of Kośala appointing his son Viḍūḍabha to the office of *senāpati* (*MN* II 110, ibid. 127). As an instance of appointment of an outsider we have in the *Jātakas* the story of a *purohita* being appointed *senāpati* by the king. Of the purely military functions of the *senāpati*, we have in the *Jātakas* curiously enough, hardly any trace. On the other hand, he is often mentioned as carrying on civil functions apparently in addition to his military duties. We hear of a king, when about to enter upon an ascetic's life in his own palace, appointing his *senāpati* as regent. We are likewise told of a *senāpati* who was appointed to decide the cases of suitors. In one story we read how a *senāpati* reversed the decision of a corrupt judge on appeal by the aggrieved party and was rewarded by the king with the honour of a regular discharge of judicial duties. In the story of Bandhula we have an instance of a *senāpati* with all his sons being massacred treacherously at the king's instigation out of mere suspicion of his treason. This furnishes another instance of the precarious position even of the highest officials under the rule of evil kings.[28]

FEUDATORIES OF THE PRE-MAURYA MONARCHIES

The early Buddhist canonical texts contain obscure references to a class of feudatories owing allegiance to the paramount ruler. In a list of dignified and responsible offices mentioned several times in *AN* occurs the title *raṭṭhika*. The order of enumeration shows that this officer was reckoned as ranking below the consecrated king but above the *senāpati*, not to speak of the village headman, the guild-master and the family patriarch.[29] The same title occurs in a *Jātaka* text (II 241) which describes a *Bodhisatta* as a newly consecrated king surrounded by his *amachchas*, Brāhmaṇas, *gahapatis*, *raṭṭhikas*, *daubārikas* and so forth. In the light of the above data, it is probably safe to take *raṭṭhika* to mean the feudatory ruler of a territory dependent on a stronger monarchy. Less definite is a reference in *Vinaya*, Vol. III (*The Sutta Vibhaṅga*, Part I, p. 74) including the *padesarājā*, the *maṇḍalika* and the *antarabhogika* among examples of *rājans* (rulers). In the above list the first two titles may represent feudatory rulers in charge of provinces and districts respectively, while the third may represent by contrast the beneficiaries of estates within the territory directly administered by the king.

COUNCILS AND ASSEMBLIES OF THE PRE-MAURYA PERIOD

Vedic India knew two popular assemblies called *sabhā* and *samiti*, whose precise role, however, is difficult to define because of the obscurity of the texts. In the present state of our knowledge all that can be predicated of these assemblies is that the *samiti* was the folk-assembly *par excellence* of the Vedic Aryans and occupied as such a position of sufficient importance to make it the king's most valuable asset, that the parallel assembly of the *sabhā* which enjoyed equal prestige tended at an early period to be narrowed down into the king's council and court, and finally that both the assemblies enjoyed the right of debate. The alternative designation of the *samiti*, namely, *parishad* is found only in the older Upanishad texts of later times (*CU* V 3.1ff, *BU* VI 2.1ff, etc.), where it seems to mean 'an aristocratic council attended only by the king and learned Brāhmaṇas' and is not specifically credited with public functions.

The above nomenclature for councils and assemblies is continued in the pre-Maurya period but with a changed connotation. It is true that the terms *sabhā* and *samiti* are used in Brahmanical ritual literature of this period which credits them with possession of the coveted right of debate. But these references are probably reminiscences of the old Vedic institutions and nothing more. On the other hand the *sabhā* is interpreted as the place for the popular amusement of gambling, and is forbidden probably on this ground to the Vedic student in two texts of *Āpastamba-Dharmasūtra*. A peculiar development of this Age arising, no doubt, from the general tendency towards specialization of professions is the formation of group *sabhās*, *samitis* and *parishads*. This grouping applied not only to the castes and the sects, but also to gods and demi-gods. In the *Dharmasūtras* the *parishad* acquires a technical significance in the sense of a council of experts in the sacred law. In other sources the *parishad* or *parisā* is attached to kings and lesser

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functionaries. We are here concerned with the function of the *sabhā* and the other bodies in their political significance. It appears that in relation to the king they bear the sense of the general body of courtiers and nothing more. This is illustrated by the passive role played by the king's *parisā* in the *Jātaka* stories.[30]

At the conclusion of this survey of the body of officials and courtiers of the monarchic States of this period, it may be thought desirable in the light of two Pali canonical texts (*DN* II 207–9 and ibid. 220–5) to reconstruct the picture of an open session of the king's council in those times. The texts give us a brilliant description of the gods in session at the *Sudhammasabhā* ('the *sabhā* of good counsel') under the presidency of Indra, the divine ruler. From this description we can infer the following features of a public sitting of the royal councils of that time. Firstly, the royal *sabhā* comprised, besides the king, his ministers and his *parisā*, secondly, the ministers and the *parisā* took their seats in the assembly-hall in accordance with their ranks, thirdly, the proceedings were opened by the king and the points at issue were discussed by the ministers, with the *parisā* playing no part therein, fourthly and lastly, the minutes of the session were written down by recorders.[31]

APPENDIX B

TYPES OF ABNORMAL OR SUBNORMAL POLITICAL ORGANIZATIONS

In an old Jaina canonical text (*Āchārāṅga-Sūtra* II 3.1) we are given a list of six State-types which a Jaina monk or nun is forbidden to pass through in the course of his or her wanderings. The list comprises the names *arāya, gaṇarāya, juvarāya, dorajja, verajja* and *viruddharajja*, for which the corresponding Sanskrit equivalents are *arājya, gaṇarājya, yauvarājya, dvairājya, vairājya* and *viruddharājya* respectively. The evil reputation enjoyed by these political organizations is corroborated by a discussion in Kauṭilya's *Arthaśāstra* (VIII 2), which singles out *dvairājya* and *vairājya* among others as types of States in 'disease' (*vyasana*). We offer below our tentative interpretations of these difficult technical terms.

1. *Arājya* (a political organization, or rather community, without a king). We have to interpret this term in the light of the early Buddhist ideas (*Jāt.* No. 270, pp. 352–3) of the evils of a realm without a king, and still more of the ideas in the *Manusmṛiti* (VII 3), the *Mahābhārata* (Critical edition, cf. *BORI* Chapter XII [*Śāntiparvan*] 67 [*Rājadharmaparvan, anuparvan*] v.v. 3ff) and the *Rāmāyaṇa* (II 69,8ff, ibid. 73, 8ff, and ibid. 67, 8ff in Gauḍīya, North, Western and Southern recensions respectively) of an evil historical State of Nature preceding the creation of monarchy under divine dispensation. This makes it probable that the term means in the present context a political community passing through a phase of anarchy in the absence of a ruler.

2. *Gaṇarājya* (a State or political community ruled by a *gaṇa*). As we shall see later, *gaṇa* is a technical term in the literature of this period for a republican State in contrast with a State ruled by a king. From a Pali canonical text (*DN* II 16, *AN* IV 20) we learn how the Vajjis, the most conspicuous examples of *gaṇas*, were renowned for their civic and other virtues in their best days. The inclusion of *gaṇarājyas* in the present context is inexplicable except on the assumption that it refers to a degenerate type of such States.

3. *Yauvarājya* (a political community ruled by a Crown Prince). This term has probably to be explained in the light of reference to *rājakumāra* in Pāṇini (VI 2.59) meaning, according to its learned modern interpreter, a prince succeeding to the throne while still a minor and awaiting as such the ceremony of consecration till the attainment of his majority.

4. *Dvairājya* (a political community under two kings). From a discussion in Kauṭilya's work (VIII 2) we learn that it was held to involve joint rule by a king and his son or else by two sons of the same king, an *Arthaśāstra* authority quoted by the author in this context taking it as such to be liable to the evils of partisanship and mutual conflict. A more pleasing picture is

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provided in two *Jātaka* stories (No. 302, p. 11 and No. 254, p. 291) which refer to a king's division of his kingdom with an outsider in such a way that both lived with amity in the same capital. It remains to add that while the division is purely symbolical in the first story (the symbol being the king's throwing a thread of pure vermilion across the white umbrella), it is attended in the second story by an actual partition of the kingdom.

5. *Vairājya* (a political community ruled by a foreign king ?) In the Vedic literature *Virāṭ* is a well-known title for a sovereign ruler. On the other hand an oft-quoted *Brāhmaṇa* passage (*Aitareya-Brāhmaṇa* VIII 14) states that the *janapadas* on the border of the Vedic world were consecrated to *vairājya* in contrast with the kings of the different quarters in the Vedic zone, who were consecrated to different forms of kingly authority. Some light is thrown on the significance of *vairajya* during the present period by Kauṭilya's citation of an old *Arthaśāstra* authority in the passage (VIII 2) quoted above. This author explains the evils of *vairājya* by stating that the king in this case fleeces or removes or sells and in the last extremity abandons his new conquests for which he feels no attachment.

6. *Viruddharājya* (a political community torn by internal factions).[32]

APPENDIX C

ON THE STATUS OF MANTRĪS IN PĀṆINI'S GRAMMAR AND IN KAUṬILYA'S ARTHAŚĀSTRA

In his important work *India as known to Pāṇini* (pp. 400ff, 410) Dr. V. S. Agrawala attempts to make out a case on the constitutional status of ministers from references in the works of Pāṇini and Kauṭilya. But his arguments are more ingenious than convincing.

In the first place, the phrase *parishad-balo rājā* (Kāśikā on Pāṇ. v 2.112) is translated by this scholar as 'king-in-council' and it is taken by him to be current in the political phraseology of Pāṇini's time. The objection to this argument is that the interpretation of the phrase given above is evidently a forced one, its natural meaning being a king who has a numerically or qualitatively strong *parishat* or body of advisers (or courtiers). Again, the statement that the above phrase was current in Pāṇini's time is a gratuitous assumption. In the second place, the *mantri-parishat* of Kauṭilya's *Arthaśāstra* (I 11) we are told, was a well-established institution in Kauṭilya's time with definite constitutional powers in relation to the king. We have, however, endeavoured to show above that it was a purely advisory body, whose decision was not binding upon the king. In the third place, the counter example *Brāhmaṇa-miśro-rājā* in Kāśikā on Pāṇini (VI 2.154) is explained to signify the sharing of joint authority between the king and his Brāhmaṇa minister in accordance with constitutional usage. Other references to the same institution are traced by Dr. Agrawala in the phrases *rājā-Brāhmaṇa* ('king's *Brāhmaṇa*') and *ārya-Brāhmaṇa* (Pāṇ. VI 2.58–9). The above interpretation is sought to be justified by quotations from Kauṭilya (I 8) and Manu (VII 58). A further justification is sought in the alleged prevalence of a political arrangement from about the Śaiśunāga period to the reign of Aśoka in respect of an alliance of a Kshatriya king with a Brāhmaṇa prime minister. These arguments do not appear to be convincing. It is true that the Vedic tradition of the *purohita's* office as the necessary adjunct of kingship was continued in the pre-Maurya Age. Again, it is certain that Kauṭilya's text (I. 9) quoted by Dr. Agrawala refers to this traditional alliance of the king and the *purohita*. On the other hand, it is very much to be doubted whether there was a continuous tradition of alliance between the king and a Brāhmaṇa prime minister during this period. Dr. Agrawala's quotation of the reference in the *Manusaṁhitā* bears the impact of the Brahmanical renaissance so characteristic of that later Age. Further his explanation of *Brāhmaṇamiśro-rājā* on the authority of Kāśikā above cited as a *rājā* bound to the Brāhmaṇa by contract formed by reciprocal promises is certainly a forced one. Lastly, the Pāṇinian term *rājakṛitva*

(II 2.9) as 'a king-maker' has certainly its counterpart in the *rājakṛits* of the *Atharvaveda* text and the *rājakattāro* of the Pali texts quoted by this scholar. But we have no clue to the meaning of this tantalizing phrase which stands completely isolated in these contexts.

APPENDIX D

SUPPLEMENTARY NOTE ON THE OFFICIALS OF THE PRE-MAURYA AGE

We have given an account of the officials of the pre-Maurya Age figuring in Kauṭilya's account (v. 3) of the king's Civil List. Kauṭilya, moreover, mentions a variety of names of officials in other contexts, while similar or different lists of officials are found in the *Dharmasūtras* and in the early Buddhist works. It is necessary to give some account of these officials if only to complete our study of the bureaucratic structure of the State administration in the pre-Maurya Age. We propose to divide this subject under the following heads :

Firstly, we refer to the list of officials on special pay or allowances who are placed by Kauṭilya outside the grades in his enumeration of the king's Civil List. Such are (a) the king's messengers (*dūtas*) who are assigned two salary-scales depending on their speed, (b) the priests officiating at the king's performance of *rājasūya* and other sacrifices, who receive remuneration at special rates, (c) the groups (*vargas*) of 100 to 1000 persons evidently working in gangs, whose cash salaries, allowances and perquisites as well as appointments and transfers are regulated by the *adhyakshas* or officers-in-charge, and (d) State employees (*bhṛitakas*) who are paid in cash or in kind in the proportion of an *āḍhaka* measure (of rice) to 60 (*paṇa*) coins.

Secondly, we speak of the officers receiving grants of land in lieu of or in addition to cash salaries. In his scheme for State-planned development of the waste lands (II 1) Kauṭilya provides for the assignment of fields to minor officials, such as the accountant (*sāṅkhyāyaka*) and the scribe (*lekhaka*) as well as the rural officers called the *gopas* or the *sthānikas*.

Thirdly, we refer to the officials whose salaries or other allowances are left unspecified by Kauṭilya. Such are the *daṇḍapāla*, the *durgapāla*, and the *aṭavīpāla* whose name-endings are similar to those of *rāshṭrapāla* and *antapāla* in Grade III of the Kauṭilyan Civil List. Such, again, are the *puramukhya* or *durgamukhya* and the *rāshṭramukhya* whose titles recall those of the *mukhyas* of Grade IV. To the same class belong the officers called *dharmastha, nāgarika, upayukta* and *yukta* (II 5, ibid. 8, ibid. 9). Reference is made in another context (IV 9) to the executive officers (*mahāmātras*) in charge of the judicial lock-ups (*charakas*) along with the *dharmasthas* or judges.

Fourthly, we turn to officials mentioned in other sources. In the first place the officials mentioned by name in the *Dharmasūtras* bear a general similarity to those of Kauṭilya's *Arthaśāstra*. Common to both is the title of *mantrī* or minister. The *prāḍvivāka*, the *dāṇḍika* (or *daṇḍapāśika*), the *bandhanika* and the *śaulkika* have their counterparts in Kauṭilya's *dharmastha, daṇḍamukhya, bandhanādhyaksha* and *śulkādhyaksha* respectively. In the second place the officials known to Pāṇini and his school have their counterparts only in part in Kauṭilya. The list consists of the *āyuktas* and the *niyuktas* (corresponding to the *āyukta-purushas* of Kauṭilya, I 15), the *yuktas* (equivalent to the *yuktas* and *upayuktas* of Kauṭilya), the *gopāla*, the *tantipāla* and the *yavapāla*. In the third place, the officials known to the early Buddhist literature bear a nomenclature completely different from that of Kauṭilya. This consists in the addition of descriptive epithets as a prefix to the general title. The list comprises the *sabhatthaka-mahāmattas*, the *mantrī-mahāmattas*, the *akkhadassa-mahāmattas*, the *senānāyaka-mahāmattas*, the *vinichchaya-mahāmattas* (or *vohārika-mahāmattas*), the *gaṇaka-mahāmattas*, and the *antepura-upacharaka-mahāmattas* of the Pali canon, and their counterparts in the *Jātaka* stories, namely, the *atthadhammānusāsaka-amachchas*, the *vinichchay-amachchas* and the *atthacharaka-* or *upacharaka-amachchas*.[33]

ARCHAIC AND OBSCURE OFFICES

Reminiscences of a few offices connected with the performance of the great Vedic ceremonies of royal and imperial consecration are preserved in the literature of this period. We begin with the offices of the *sthapati* (governor or judge), the *sūta* (charioteer or minstrel) and the *bhāgadugha* (carver). Though the high rank of the first two offices is hinted at in the *Śrautasūtra* and the *Gṛihyasūtra* works of the pre-Maurya Age, they are all unknown to any other source of this period. The case is otherwise with the Vedic *grāmaṇī*. Its Pali equivalent, namely, *gāmaṇī* is celebrated in a few Buddhist canonical texts which describe the high rank and the life of luxury enjoyed by this officer. But unfortunately we have no clue to his functions in this or in any other source. The Buddhist texts know *gāmaṇis* of different categories with distinctive prefixes attached to their offices. But these are all non-political offices. A *prādeśika* is mentioned in a text of *Kauśikasūtra* (96. 16–17) as occupying a status midway between the king and the Vaiśya. This suggests his membership of the Kshatriya caste, but he is unknown to any other contemporary source. An equally obscure officer called the *pariṇāyaka* (adviser) is included in the list of seven jewels of the mythical world-ruler in different Buddhist texts. He belongs probably to the realm of mythology and nothing more. Lastly, a *rājamātra* (or *rājamatta*) is mentioned in the Sanskrit and Pali Buddhist works of this period as occupying a status superior to that of the Vaiśya. This was probably not the designation of an office, but of a social rank belonging to a representative of the king's authority.[34]

CHAPTER II

NOTES

[1] On the significance of the texts quoted above from *TS* see *HPL* pp. 53–4. For concrete examples of *janapadas* and *vishayas* mentioned by Pāṇini (IV 1.168) and included in the lists of *Gaṇapāṭha* see Agrawala, *India*, pp. 48ff, 497ff. On the lists of States of this period with names of their ruling dynasties and their capital cities see the references in Chap. I, n 7. Names of capital cities of this period which have been explored and more or less completely excavated by archaeologists in recent times are

Rājagṛiha and Pāṭaliputra, Śrāvastī and Sāketa, Kauśāmbī, Mathurā and Ahichchatrā, Hastināpura, Takshaśilā and Pushkarāvatī. For references to geographical boundaries, cf. (a) Pāṇ. IV 2.124 (grammatical rule for formation of derivatives of place-names in the sense of *avadhi* or limit); (b) Āpast. II 10.26.4–8 and *KA* IV 13 (definition of jurisdiction of town and village officials); (c) *KA* II 1 (chain of forts along the frontier of the kingdom on the four sides); (d) *KA* II 1 (natural and artificial boundaries of villages at the time of State colonization of waste lands); (e) *KA* II 35 (entry of village boundaries in *gopa's* register of villages). For the title of law called *sīmāvivāda* (disputes about boundaries) see *KA* III 9. The inference (Agrawala, *India*, pp. 91, 479) that Pāṇini's reference to *janapada* signifies the transition from 'the Vedic' (really the tribal) to the territorial type of polity is contradicted by the evidence of the texts of the *Taittirīya Saṁhitā* quoted above.

[2] For refs. to monarchic and other constitutions of the Vedic Age, see *HPL* pp. 80–2. The Paurāṇic dynastic lists are given in parallel versions in F. E. Pargiter, *The Purāṇa Text of Dynasties of the Kali Age.* The list of monarchical States known to Pāṇini has been compiled by Dr. Agrawala (*India*, p. 425). On the number of kings in the *Jātakas* cf. (a) No. 353, p. 159 (1,000 kings in plains of *Jambudīpa*); (b) No. 454, pp. 83–4 (kings of 63,000 cities); (c) No. 537, pp. 457, 472 (101 kings). On the subject of historical dynasties of this period with full references to Brahmanical, Buddhist and Jaina sources see *PHAI*, Part I, Chapters II–III. The *Arthaśāstra* category of seven *prakṛitis* or constituents of the State is discussed in *IPI* pp. 84–5, 119–20.

[3] *Refs. to technical terms for king's authority*: (a) Pāṇ. I 4.97, V 2.126, VI 2.18 (terms *rājā* and *īśvara* as well as term *aiśvarya* held to be the attribute of *rājā*, *svāmī* and *bhūpati*); (b) *KA* VI 6 (*ekaiśvarya* held to be distinctive attribute of king); (c) *PTS Dict.* s.v. *īssariya* and *ādhipatya*; (d) *Abhidhānarājendra* s.v. *oggaha*. The significance of *daṇḍa* is explained with full references in *IPI* pp. 53, 86f, 119f.

[4] *Refs. to king's regalia*: (a) No. 455, p. 91 (new *maṅgalahatthī* or State elephant acquired by king on the death of the old one and publicly proclaimed by the beating of drums); (b) No. 461, p. 125, No. 530, p. 264 (*pañcharājakakudabhaṇḍa* or five-fold regalia of the royal family). For a popular account of the origin of the simple coronation ceremony of the king when he sat on a fig-wood seat and was sprinkled from conches, see No. 492, p. 350. For complete list of references see *Jāt. Index* s.v. (a) *ceremonial sprinkling of king*, (b) *coronation*, (c) *umbrella, white, symbol of royalty and ceremony of spreading.*

[5] *Refs. to king's status and prerogatives in Dharmasūtras*: (a) Gaut. V 30–1, Āpast. II 4.8.6–7. Baudh. II 3.6.37, Vas. XI 1–2 (king's title to *arghya* and *madhuparka*); (b) Gaut. VI 24–5, Āpast. II 5, 11.5–6, Vas. XIII 59 (king's right of way); (c) Vas. IX 47, XIX 48, Vish. XXII 48, 52 (king's immunity from ceremonial impurity); (d) Gaut. XV 10, Vish. XXII 47 (ceremonial purity of relations); (e) Gaut. XVI 32, Baudh. I 11.21.4, Śaṅkha in Kane's List No. 46, Vish. XXX 23 (interruption of Vedic study and universal impurity at the king's death and illness); (f) Gaut. XX 1, Vish. L 11 (social ostracism for murder of king); (g) Baudh. II 2.4.15, Vish. XXXVI 4 (sin of connexion with king's wives); (h) Vish. III 34, V 10, 14 (punishments for treason). Definitions of *arghya* and *madhuparka*: (a) *arghya* is 'the respectful offering of water or with husked rice grains, flowers etc. to gods and venerable persons' (Kane, *H of D*, Vol. IV, p. 435 n); (b) *madhuparka* consists in offering curds, honey or milk or water mixed with honey according to *Āpast. Dharmasūtra* (II 4.8.8–9) with which may be compared *Āśv. Gṛihyasūtra* (I 24.5–6).

[6] *Summaries of above stories*: (a) *Vin.* Vol. I, pp. 73–4 (when trouble broke out in border provinces of the Magadha kingdom, Bimbisāra ordered his military commanders to go forth and suppress the rebels, but many distinguished warriors, considering fighting to be an evil, received ordination from monks. On receiving this report the king consulted his judicial officers, who declared not only the deserters but also those who had participated in the act of ordination — namely, the preceptor, the reciter of the

resolution and the chapter participating in the act of ordination — to be liable to various atrocious punishments); (b) *Vin.* Vol. II, pp. 190–1 (when Ajātaśatru was caught in the act of attempting to murder his father king Bimbisāra and made to confess his guilt, the king inquired of his judicial officers what punishment was to be inflicted upon the culprits: in reply to the king's inquiry some officials advised that the prince should be slain along with his evil genius Devadatta as well as with all the monks, others advised that the prince and Devadatta should be slain but not the monks who had done no wrong, and still others advised that none of them should be slain but that the members should act as they were commended). For the significance of this second story and its sequel see below, Chapter IV.

[7] For names of *janapadas* as mentioned above see Kāt. on Pāṇ. IV 1.168. *Jātaka* refs. to normal rule of king's Kshatriya birth and exceptions to this rule: (a) No. 284, p. 413, No. 411, p. 392, No. 445, p. 40 (stories of election of *purohita*, elephant-trainer and merchant as kings); (b) No. 390, p. 299 (all kings are Kshatriyas). On the corollary of the king's Kshatriya birth in the *Dharmasūtras* see *IPI* p. 50. In *Jāt.* No. 537, p. 509 a *senāpati* refuses admission to the city to his former king on the ground that the wicked wretch while ruling as king did that which was not lawful for a Kshatriya to do, namely, devouring his subjects.

[8] So much is this the case that in one story (No. 509, p. 479) when the eldest brother renounces the throne and the *amachchas* offer it to the next brother, the latter exclaims, 'Why is the white umbrella offered to me seeing that I have an elder brother?' Also cf. No. 402, pp. 132–3 (when the *amachchas* raise the youngest of the king's sons after his death to the king's throne in accordance with their late master's covert instructions, the other brothers march against the younger brother resolving to raise the umbrella over the eldest of them all). In No. 461 (which is an early Buddhist version of the story of the *Rāmāyaṇa*) Daśaratha's second queen asks in fulfilment of the king's promised boon that her own son Bharata should be the next king: after the king's death the queen asks that the white umbrella be raised over Bharata's head, but the *amachchas* refuse to do so on the ground that the owners of the white umbrella are Bharata's older step-brothers living in the forest: Bharata makes his journey to the forest in a vain attempt to induce Rāmapaṇḍita to return and rule the kingdom. For exceptions to the general rule of succession of the eldest son of a king, cf. (a) No. 284, p. 413 (when a king is killed in battle with an invader, his elephant-trainer beats back the assault and kills the invader in action: the *amachchas* elevate the elephant-trainer to the throne on the ground that the late king had put royal robes on him, while himself fighting in disguise, and that the trainer had fought the enemy and won the kingdom), (b) No. 458, pp. 105–13 (after a king's death without an heir, the queen promulgates orders and carries on the government with the aid of ministers: in the end she makes over the government to the ministers and retires to a park in the city). For refs. to a king's expedients for getting a male heir to the throne see below, Chap. IX s.v. *Influence of public opinion.*

[9] For references to the festal-car ceremony see *Jāt. Index* s.v. *Car.* Description of the festal car ceremony: On the appointed day a car which is equipped with the royal insignia and attended by the four-fold army and of which the strap and the goad are ceremonially sprinkled with water by the *purohita*, is sent forth to find out one who has sufficient merit to become a king: the car stops in front of a person lying on a ceremonial seat in the royal garden, and this person, on being found by the *purohita* to bear the royal mark on his person and conducting himself otherwise with due decorum, is immediately consecrated as king. The interpretation of this ceremony quoted above from Fick (*Die Sociale Gliederung im Nordöstlichen Indienzu Buddhas Zeit*, Eng. tr., p. 26) is supported by the fact that the stranger thus called to the throne by a fortunate chance is mentioned in two stories (No. 378, p. 239, No. 529, p. 248) as a prince from a foreign land, and in a third story (No. 539, pp. 39–40) he is no other than the nearest male heir to the throne living in exile.

[10] For summaries of the ceremonies of royal consecration in the *Śrautasūtras* see Ram Gopal, *India of Vedic Kalpasūtras*, pp. 178–180. For the *Jātaka* stories of these ceremonies cf. ibid. No. 238, p. 409, No. 492, p. 350. On the political and constitutional significance of the Vedic ceremonies of royal and imperial consecration with full accounts of the same, see *SIHC* Chap. IX (pp. 301–38).

[11] On dynastic government in the Vedic Age see *HPL* pp. 81–2.

[12] In this story (*Jāt.* No. 454) which is evidently an early version of a well-known Brahmanical legend we are told that Baladeva and his nine brothers having slain their uncle Kaṁsa and seized his capital city in *Uttarāpatha* gradually extended their conquest over all *Jambudīpa*. Then, having killed the kings in its 63,000 cities, they took up their abode in *Dvārāvatī* city and divided their kingdom into ten portions. Later, when they thought of dividing their kingdom afresh into eleven portions to provide for their sister, one of the brothers magnanimously gave up his own share in the lady's favour on condition of receiving the trade duties (*suṁkas*) from all their respective territories (*janapadas*).

[13] The contrary interpretations of *kularājya* by D. R. Bhandarkar (*Ancient History of India*, pp. 162, 164), as has been sought to be proved in *SIHC* pp. 398–9, is not convincing.

[14] The subject of State administration in the Vedic Age is treated in *HPL* pp. 18ff, 37ff, 100ff.

[15] Refs. : (a) No. 195, pp. 125–7 (an *amachcha* persuades a king to forgive the intrigue of another *amachcha* with one of the queens) ; (b) No. 215, pp. 176–7, No. 331, pp. 102–3 (a king cured of his talkativeness by an *amachcha* with practical demonstration) ; (c) No. 223, pp. 204–5, No. 333, pp. 107–9 (an *amachcha* persuades a king to treat his neglected Chief Queen with proper respect) ; (d) No. 306, p. 22 (an *amachcha* persuades a king not to turn his low-born and proud wife out of doors) ; (e) No. 320, pp. 68–9 (a king is persuaded by his *amachcha* to restore his dutiful Chief Queen to a position of honour and respect) ; (f) No. 345, pp. 139–41 (a king is cured of laziness by an *amachcha* by means of a parable) ; (g) No. 401, pp. 340–1 (a king is cured of grief for desertion of his Chief Queen by his *amachcha*).

[16] See on this subject *IPI* pp. 88–9, 123.

[17] The salary-scales of the successive grades in Kauṭilya's classified list are 48,000, 24,000, 12,000, 8,000, 4,000, 2,000, 1,000, 500, 250, 120, 60 coins. But nothing is said about the denomination of the coins or the period for which these salaries are payable. This has naturally given rise to various interpretations. For different views on the subject see Jayaswal, *Hindu Polity*, Part III, p. 36, V. R. Ramachandra Dikshitar, *Mauryan Polity*, p. 151, K. V. Rangaswami Aiyangar, *Ancient Indian Polity*, pp. 44–5, and Kane, *H of D*, Vol. III, p. 120. The view of the last-named scholar that the reference is to copper coins payable every month is supported by Kauṭilya's recommendation in other contexts for monthly payments of salaries to the officials.

[18] The names of the 18 *tīrthas* are given below in the order of their enumeration: *mantrī*, *purohita*, *senāpati*, *yuvarāja*, *dauvārika*, *antarvaṁśika*, *praśāstā*, *samāhartā*, *sannidhātā*, *pradeshṭā*, *nāyaka*, *pauravyavahārika*, *kārmāntika*, *mantriparishadādhyaksha*, *daṇḍapāla*, *durgapāla*, *antapāla* and *āṭavika*.

[19] By V. S. Agrawala, *India*, p. 405.

[20] On the Vedic *purohita* and his functions see *HPL* pp. 24ff, 151ff. For quotation of the important text of Gaut. XI 17, see Chapter III s.v. *Application of ritualism to State administration*. Altogether exceptional is the surrender of the kingdom by the king for a short time to the officiating priest, which is prescribed by some of the late ritual texts (*Āpast. Śr.Sū.* XX 2–12, 3. 1–2, *Baudh. Śr.Sū.* XXIV) for the king performing the *rājasūya* ceremony.

[21] For a full description of the above see Chap. VII s.v. *Judiciary and judicial administration* and *Administration of justice*.

[22] Given below is a list of principal refs. in the *Jātakas* : *Purohita's* role in king's or State's religious performances : No. 479, p. 232 (newly consecrated king is instructed

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by the *purohita* in ten ceremonies obligatory on a universal monarch). *Purohita's* interpretation of omens and portents and knowledge of charms: (a) No. 241, p. 243 (*purohita's* knowledge of spell for subduing the world); (b) No. 278, p. 239 (*purohita's* interpretation of marks on foot of a person whose fitness for succession to the throne is found out by the festal car ceremony). *Purohita's* role in State affairs: (a) No. 413, pp. 401–2 (*purohita* explains causes of his king's defeat by an enemy); (b) No. 353, pp. 159–60 (*purohita* forms design of making his king sole monarch and himself sole *purohita* of all *Jambudīpa*; the king having gained supremacy over all *Jambudīpa* but failing to capture Takkaśilā treacherously murders 1,000 vassal kings on *purohita's* advice for the purpose of offering their flesh to the guardian deity of a banyan-tree). *Purohita's* intimate relation with the king: (a) No. 378, pp. 238–9 (a king's son and a *purohita's* son born on the same day are brought up together by the king's orders and educated together at Takkaśilā: after the election of the king's son to the throne by the festal car ceremony, the *purohita's* son forestalls the king's offer of the post of *senāpati* by embracing ascetic life: returning to the king after a long time he gives him a long discourse on righteous rule); (b) No. 411, pp. 391–2 (a king's son and a *purohita's* son born on the same day are brought up and educated together at Takkaśilā: after the prince's return, when he becomes king, the *purohita's* son becomes *purohita*).

[23] Stories of worldly, corrupt and villainous *purohitas*: (a) No. 163, pp. 46–50 (story of a *purohita's* young son mastering the three Vedas as well as the *hatthi-sutta* or elephant-lore in four days' time and thereby maintaining his ancestral right of performing the very lucrative job of managing the Elephant Festival); (b) No. 326, p. 89 (a *purohita* utters a lie out of covetousness for divine flowers); (c) No. 353, pp. 159–61 (a king is advised by his *purohita* to carry out a treacherous murder of his vassals and offer their bodily remains as sacrifice to a tree-deity); (d) No. 404, p. 356 (a vengeful *purohita* persuades a king by a trick to order the killing of monkeys); (e) No. 446, pp. 45–6 (a *purohita* advises his king to sacrifice victims for averting an evil omen); (f) No. 481, pp. 246 (a *purohita* plotting for revenge upon his brother for seducing his wife persuades the king to offer a human victim on the occasion of replacing an unlucky city gate by a new one); (g) No. 511, p. 1 (a king's *purohita* is found guilty of taking bribes and giving false judgments); (h) No. 542, pp. 131–57 (a *purohita* whose guilt as a corrupt judge is exposed by a virtuous prince advises the king to offer members of his whole family as sacrificial victims so that the king might attain his desire of winning heaven: he repeatedly goads the unwilling king to proceed with the sacrifice till at the last moment his design is frustrated by the god Sakka, and he is killed in mob fury).

[24] Among these ministers the following appear to be of outstanding importance: (a) Yaugandharāyaṇa who took the leading part in rescuing his master king Udayana of Kauśāmbī from imprisonment by Pradyota, king of Ujjayinī according to Sanskrit dramatic tradition (Bhāsa's *Pratijñāyaugandharāyaṇa*); (b) Khaṇḍa, the able and faithful *agrāmātya* of king Prasenajit of Kośala who was forced eventually to seek asylum with the Lichchhavis at Vaiśālī according to Buddhist historical tradition (Gilgit MSS, Vol. II, Part II, pp. 4–6); (c) Rākshasa, celebrated in the Sanskrit dramatic tradition (Viśākhadatta's *Mudrārākshasa*) as the devoted supporter of the fallen house of the Nandas till the very end.

[25] Refs. to *amachchas* in the *Jātakas*: (a) No. 546, p. 390 (an *amachcha* fortifies a city with watch-towers and a triple rampart for meeting a threatened attack by an enemy king); (b) ibid. pp. 399–409 (the *amachcha* successfully defends the city against a foreign attack); (c) No. 151, p. 2 (*amachchas* officiate for a king); (d) No. 247, p. 264, No. 257, pp. 297–300 (trial case arranged by *amachchas* to test an inexperienced prince's fitness for the throne); (e) No. 301, pp. 3ff (a resourceful *amachcha* advises his master to accept challenge offered by another king and helps him by a superior trick at the moment of the encounter to overcome his rival; (f) No. 398, p. 326 (an *amachcha* being informed of a king's unwise pact with a man-eating *yakkha* to send a man every day for the latter's meal, adopts various devices to relieve his master of his burden);

(g) No. 459, p. 74 (kingdom is entrusted to *amachchas* by a king proceeding to renounce the world); (h) No. 458, p. 105 (*amachchas* administer a kingdom after the king's death); (i) No. 462, p. 132 (*amachchas*, taking the hint from a king lying on his death-bed, raise the white umbrella over his youngest and most beloved son). For some details of the stories of Vidhurapaṇḍita (No. 545) and Mahosadha (No. 546) see n27 below. A summary of the story of Mahosadha is given by G. P. Malalasekera, *Dict. of Pali Proper Names*, Vol. I s.v. *Ummagga Jātaka*.

[26] This is the view of Bharadvāja quoted in *KA* I 15. Kauṭilya, differing from this extreme view fixes the number of *mantrīs* at three or four. A middle view is suggested by the Pāṇinian term (V 4.7) *ashaḍakshīṇa* (literally, 'that which is not seen by three pairs of eyes') which refers to counsel taken together by two persons and not more.

[27] Details of story of Vidhurapaṇḍita, No. 545, pp. 285–91 (the wise minister describes himself, while being willingly led away by a youth as his prize after defeating the king at a dice-play, as a slave in a formal enumeration of categories of slaves : he admonishes his sons at the time of departure emphatically to disclaim equality with the king; 'how shall the base-born jackal be of equal position with the royal tiger ?' : he gives parting advice to his sons on the duties of a courtier in a spirit of absolute obsequiousness). Details of the story of Mahosadha, No. 546, pp. 329ff (the wise minister on being honoured above the king's four other *amachchas* incurs the king's suspicion owing to the machinations of the latter and is forced to escape for life in disguise. On his return to the capital he again incurs the king's suspicion which leads the latter to acquiesce in a plot for his murder).

[28] Refs. (a) No. 539, p. 45 (*senāpati* as regent); (b) No. 220, p. 186 (*senāpati* regularly deciding cases of suitors); (*senāpati* reversing judgment of a corrupt judge). The story of Bandhula and his nephew Dīgha Kārāyana who successively held the office of *senāpati* under a king of Kośala is summarized by Malalasekera, op. cit., Vol. II, p. 166–7.

[29] Refs. in *AN* III, 76, ibid. 78, ibid. 299–300 : *rāja, khattiyo, muddhābhisitto, raṭṭhika, pettanika, senāya senāpatika* (v.r. *senāpati*), *gamāgamaṇika* (v.r. *gamaṇika* or *gamika*), *pūgagamaṇika*, and those offices which involved exercising authority over *kulas*, are mentioned as examples of careers open to a *kulaputra* or high-born youth and of offices whose occupants are disqualified by self-indulgence. In the above *raṭṭhika* has been defined by the commentator Buddhaghosa as one who enjoys income from the administration of a *raṭṭha* and *pettanika* as one who enjoys property bequeathed by his ancestors. If we accept the interpretation of a recent Indian scholar (B. M. Barua, *Inscriptions of Aśoka*, Part II, pp. 262–3) that the two terms form a single compound meaning hereditary *raṭṭhikas*, it would follow that there was already a tendency in some monarchies of the time for the governors of provinces to become hereditary in their families. On the other hand the explanation (K. P. Jayaswal, *Hindu Polity*, Part I, p. 75) of *raṭṭhika* as a republic with a board of leaders who are not hereditary and of *pettanika* as a republic with hereditary leaders is completely unauthenticated and should be rejected.

[30] The origin, composition and functions of Vedic Popular Assemblies are discussed in *SIHC* pp. 349–59 from which the above extracts are quoted. For refs. to *sabhā* and *samiti* in Vedic ritual literature, cf. *Hir. Gṛ. Sū.* I 15.4ff, *Bhār. Gṛ. Sū* II 26, 59.8 (ritual for winning victory over rivals in debate at the *sabhā*). For refs. in *Āpast. Dharmasūtra* cf. II 10.25.12–13 (*sabhā* with dice-board and dice to be provided by the king for allowing play by pious and truthful *Āryas*) ; (b) ibid. I 1.3.12 (Vedic student forbidden to enter *sabhā*). Refs. to *sabhā* and *samiti* of groups : (a) *DN* II 2.56.61 (*samiti* of *bhikkhus*) ; (b) *SN* I 184 (*sabhā* of Brāhmaṇas). See Gaut. XXVIII 48–51, Baudh. I 1.1.7 for refs. to *parishad* of legal experts.

Refs. to *parishad* (*parisā*) of groups and individuals : (a) Pāṇini V 2.112 (*parishad* of king) ; (b) *AN* III, *SN* I 184 (*parisā* of monks as well as of Khattiyas, Brāhmaṇas and *gahapatis* with their elaborate rules of assembly indicated with delicate irony) ; (c) *MN* IV 72–4 (*parisā* of gods, of castes, of religious orders, of monks, of laymen) ; (d) *Jāt.* No. 503, p. 431 ; No. 498, p. 394 ; No. 542, pp. 141, 152 (*parisā* of a king) ; No. 505,

p. 449 (of a prince); No. 220, p. 187 (of suitors attending a judge); No. 387, p. 386; No. 546, pp. 405, 431 (of a minister); No. 258, p. 311 (of a mythical emperor); No. 542, p. 156 (of gods).

[31] An abstract of the above story is given below, after Rhys Davids' translation: 'On that occasion all the gods in the retinue of the thirty-three assembled together were seated in the *sudhammasabhā*. Around them sat on every side a vast celestial company and at the four quarters were seated according to a prescribed order the four Great Kings. After Sakka, ruler of the gods had spoken in honour of the Buddha and the gods had deliberated on the subject for which they had assembled together, the four Great Kings were receivers by the spoken word and the admonition given with respect to the same'. As Rhys Davids rightly observes (*Dialogues of the Buddha*, Vol. II, pp. 263–4n), the four Great Kings were looked upon as Recorders of what had been said at the meeting or as keeping minutes of the meeting. Two other important inferences drawn from the above by the same scholar are worth consideration. These are, firstly, that the Assemblies of earthly kings were sufficiently fixed and important to merit a permanent record being kept of their proceedings, and secondly, that there must have been such Recorders at meetings at the mote-halls of the clans.

[32] The text of the *Ācārāṅgasūtra* quoted is given below in Jacobi's translation (*SBE* Vol. XXII, p. 138): 'A monk or a nun on the pilgrimage, whose road lies through a country where there is no king or many kings or an unannointed king or two governments or no government or a weak government, should, if there be some other place for walking about on friendly districts, not choose the former road for their voyage.' The conflicting views of the relative evils of *dvairājya* and *vairājya* are thus set forth in the passage quoted above from Kauṭilya's *Arthaśāstra*. According to the Teacher *vairājya* is a lesser evil than *dvairājya*, since the latter perishes because of mutual hatred and rivalry or of mutual conflict, while the former is enjoyed by foreigners in the act of winning the hearts of *prakṛitis*. Rejecting this view Kauṭilya observes that as *dvairājya* exists between father and son or between two brothers and since their well-being is the same, the influence of the *amātyas* (over the two rulers) can be used to make it last, while *vairājya*, by contrast, is won by seizing the kingdom from a living king, and the new king thinking that the country is not his impoverishes it or takes away its wealth, or makes it an article of sale, or else on finding it disaffected abandons it and goes away (adapted from Kane's tr., *H of D*, Vol. III, p. 102). The contrary view (K. P. Jayaswal, *Hindu Polity*, p. 102) is far-fetched and improbable.

[33] For full refs. with more or less approximate English renderings, see Glossary, s.v.

[34] Refs. to *sthapati*, *sūta* and *bhāgadugha*: (a) *Baudh. Śr. Sū.* 18 (*sthapati* said to precede *sūta* and follow *purohita*); (b) *Kāt. Śr. Sū.* 15.7.12 (*sthapati* equated with *sūta* and placed after king's brother); (c) *Āpast. Gṛ. Sū.* (*sthapati* bracketed with king); (d) *Kāt. Śr. Sū.* 15.3.11 (*bhāgadugha*). Refs. to *gāmaṇī*: (a) *Vin.* II 296–97 (*gāmaṇī* said to be seated among *rājaparisā* or State Council of King Bimbisāra); (b) *Jāt.* No. 488, p. 310, carricaturing *gāmaṇī's* life of ease (ref. in a solemn oath by a person to clear himself from a charge of theft against a *gāmaṇī* riding an elephant in the king's retinue and attended by comrades, delighting in dance and song, and enjoying the abundance of the king's favour). *Different categories of gāmaṇīs mentioned in early Buddhist literature*: *pūga-gāmaṇī*, *yodhājīva-gāmaṇī*, *rathakāra-gāmaṇī* and *assāroha-gāmaṇī* meaning the head of a fighting *saṁgha*, the chief keeper of elephants and chariots and of horses respectively. The *pūga-gāmaṇī* is likewise mentioned by Pāṇini (v 3.112). Refs. to *rājamātra—rājamatta*: (a) *DN* I 103–4 (vivid account of King Pasenadi of Kośala taking counsel with his *uggas* or officials and *rājanyas* or nobles while seated on the back or neck of his elephant or on the back of his horse or standing on the foot-ring of his chariot, and of a *Sudda* or a *Sudda* slave coming after the king's departure and reproducing the king's counsel and even his very speech but failing to be reckoned as a *rājamatta*); (b) Gilgit MSS, Vol. III, p. 19 (enumeration of ranks in the order 'rich merchants', *rājamātra* and *rājā*).

CHAPTER III

THE MONARCHIC STATE—II. WORKING OF THE CENTRAL GOVERNMENT

PERSONAL RULE BY THE KING

WE have observed in the previous chapter how the records of the pre-Maurya period bear witness to the high authority and prerogatives of the king. We have also seen how the same sources refer to the king's intellectual and moral qualifications and provide for his training. These data fit in with the requirement for the king's personal rule in the authoritative works of this period. In the *Dharmasūtras* as well as in Kauṭilya's *Arthaśāstra* the king is entrusted with control of the whole civil and military administration and, what is more, he is required to sit personally for the trial of cases. In Kauṭilya's work (I 15) the king has not only to recruit the *amātyas* and take a leading part in their selection, but he is required daily to sit in secret consultation with his *mantrīs*. He is even expected (II 21) to pass on confidential reports about the quantity and value of the merchandise arriving at the frontier of his kingdom, to his officer-in-charge of the city custom-house for facilitating the assessment of customs duties. The king, again, is required to attend daily military exercises (*śilpadarśana*) of the four wings of the army and likewise to march out with his troops for battle and lead them to victory (V 3 and XI 3). The most spectacular proof of the requirement for the king's attention to administrative details is furnished by Kauṭilya's statement of the king's daily and nightly routine (I 19). This is crowded except for the king's satisfaction of his physical needs with the business of State.[1] At the public hearing of suits of his subjects particularly, the king in this context is solemnly warned against keeping suppliants waiting at the door of the audience-hall (*upasthāna*), and he is advised to attend to urgent works in person. In the *Jātaka* stories the king is habitually mentioned as appointing substitutes at his discretion to carry on the government during his temporary absence from the capital or withdrawal from State affairs. The king, again, frequently nominates the heir to the throne and leaves instructions for the future government of his kingdom after his death.[2]

THE KING'S EDUCATION

The oldest known types of higher education in our people's history belong to the pre-Maurya period. The two types described in the *Dharmasūtras* and the *Jātakas* are intended for the higher or cultured classes as a whole, while the third type which is found in Kauṭilya's *Arthaśāstra* (I 7) is meant specifically for the prince. The *Dharmasūtras* give us for the first time a scheme of education of the Vedic student belonging to the first three classes, and the prince being a Kshatriya *par excellence* naturally shares in the same. In this scheme the pupil (*brahmachārin*) is required to live in residence with his teacher (*āchārya*) till the completion of his education, and he is put to a rigorous discipline as regards food and drink and general behaviour, while the curriculum of his studies is stated to consist of the Vedas and their auxiliaries. We may characterize the above as a scholastic-theological type of education which was meant to ensure training of the student in the orthodox branches of learning and according to the orthodox standards. But already in the *Dharmasūtras* the necessity was felt for a more specialized type of education for the prince. Gautama (XI 2) requires the king to be fully versed in the three Vedas as well as in Philosophy (*ānvīkshīki*) and to be pure and of subdued senses, while Vishṇu (III 50) enjoins him to avoid a category of four traditional vices.

Specialization is the distinctive mark of the type of education prescribed for the prince by Kauṭilya (I 7). It has the following features. Firstly, the prince is required to go through a progressive course of education from the primary to the advanced stage, and thereafter to study a number of special sciences. The curriculum of advanced studies comprises the four traditional sciences (*vidyās*), namely, the three Vedas (*trayī*), Philosophy (*ānvīkshīki*), Economics (*vārtā*) and Politics (*daṇḍanīti*) ; the supplementary studies cover military science as well as a number of miscellaneous branches of learning grouped under the general heading of *itihāsa* or traditional history. Secondly, the training is imparted by experts in residence with their pupils at the royal palace. Thirdly, the prince is required throughout to practise self-discipline and constant association with the aged, so as to generate what is called suppression of the six traditional vices. The list of these vices (which are significantly called 'the six enemies of kingship') consists of greed, anger, lust, self-conceit, excessive pride and excessive joy. In fine the prince is required to adopt the standard of a royal sage (*rājarshi*), which is summed up in the dictum that he should follow the path of pleasure without conflict with the paths of virtue and wealth, or else to follow those three ends of human existence in a harmonious combination. We may characterize the above as a highly specialized and (in theory) comprehensive type of education required for the prince after the standards of the technical writers on polity.

The primary object of the third type of higher education which is described in the *Jātakas* is to enable the students of the upper classes to complete their education at the great centres of learning (the first real Universities of our land) under the guidance of 'world-renowned teachers' (*disāpamokkha-āchariyas*) of the time. Among these centres Takshaśilā in the extreme north-west of our country held the first place no doubt because of the high reputation enjoyed at that time by the North-Western Brāhmaṇas (*udīchcha-Brāhmaṇas*) for learning and character. A secondary object of this scheme of education which is described in a *Jātaka* extract introduces us to a striking appreciation of the educational value of foreign travel. Kings of former times, we read in this extract (No. 252, p. 277), though there might be a famous teacher living in their own city, often used to send their sons to 'foreign countries' so that they might learn by this means to quell their pride and haughtiness, to endure heat and cold and become acquainted with the ways of the world. The curriculum of studies is critically described as comprising the three Vedas as well as the eighteen practical arts (*sippas*). We may conveniently call the above an academic-liberal type of education which was meant to develop the intellect as well as the character of the student on liberal lines, and in particular to equip him with the secular as well as the orthodox branches of learning. Alike in the *Dharmasūtras*, Kauṭilya's *Arthaśāstra* and the *Jātakas* the teacher is given a highly honourable position. How much the teacher reciprocated this sentiment towards his pupil is told in a few *Jātaka* stories.[3]

ADMINISTRATION BY OFFICIALS—CONTROL OF OFFICIALS BY THE KING

In the previous chapter we have noticed the creation of a civil and a military service as one of the chief administrative achievements of our period. We have also observed what special provision was made in the *Arthaśāstra* system for the recruitment of officials (*amātyas*) and their selection for higher posts. In particular the *amātyas*, as we have seen, were required to pass tests to prove that they were above inclinations for treason and greed for money. Nevertheless, as the authorities frankly recognize, the officials were a source of potential oppression to the public and danger to the State. The remedy was sought by Kauṭilya in strict control of the officials by the king and in an elaborate body of penal laws for dealing with the delinquents. To take some examples, the eighteen top-ranking officials are subjected (I 12) to a strict invigilation of their private and public behaviour by selected spies. Again as a safeguard against disaffection of 'officials of the innermost circle' the king is required (VIII 2) to keep the two departments of finance and the army under his control. Elsewhere (IX 3) the disaffection of the officials of the inner circle (defined as the *mantrī*, the *purohita*, the *senāpati* and the *yuvarāja*) is required to be met in two ways. If it is due to the king's fault, the king should give up the same; if otherwise, he should visit the delinquents with appropriate punishments. In another place (VIII 4) Kauṭilya pointedly requires the king to protect the merchants against harassments by the *antapāla*. In a fresh context (IV 9) penalties ranging from fines to dismissal from office are laid down for corrupt or incompetent *dharmasthas* and *pradeshṭās*. Further, the *dharmasthas* and *pradeshṭās* who are suspected to be living by underhand means are subjected to espionage by the *samāhartā* and are banished or dismissed if they are found guilty (IV 4). At a lower level revenue officials guilty of embezzlement of government revenues as well as corrupt *rūpadarshakas* and *lakshaṇādhyakshas* are visited with suitable penalties. What strict control was maintained over the *adhyakshas* by their superior authorities will be shown presently. (For the above interpretation of the titles of these officers see Skt. Glossary of this work.)

As a set-off to the disciplinary measures above mentioned, the officials are entitled in the advanced systems of State-administration to a number of privileges. Extending a prerogative belonging especially to the king, Vishṇu (XXII 52) observes that those who carry out the king's orders are exempted from impurity for their acts, if he so desires. Again, a clause in Kauṭilya's law of debts (III 16) states that the officials should not be arrested for non-payment of debt while they are on duty. The royal attendants also are entitled according to Kauṭilya (II 7) to perquisites, favours and remissions in addition to their remuneration in cash and kind, which are sufficiently important to be entered in the Grand Register of State Records by the officer (*adhyaksha*) in charge.

SELECTION AND CONTROL OF ADHYAKSHAS

In the previous chapter it has been sought to show how the *adhyakshas* in charge of the administrative offices (*adhikaraṇas*) form, as it were, the pivot of the central administration in the *Arthaśāstra* system. The chief features of the machinery for supervision of these officials in Kauṭilya's work (II 7) may be thus summarized. Firstly, the officer-in-charge of the State Records office (*akshapaṭalādhyaksha*) is required to record full particulars of all *adhikaraṇas* (State offices) as regards their number, office procedure and out-turn in his Grand Register. In the second place, while equipment with the *amātya's* qualifications is held to be the necessary qualification of all *adhyakshas*, these officers are divided into three grades, according to their capacity, for the discharge of superior, middling and inferior kinds of work. Further the *adhyakshas* are required to be chosen according to their respective capacities, including their capacity for taking disciplinary action against delinquents. In the third place the *adhyakshas*, while in office, are subjected to constant supervision, because of the well-known danger of corruption from the exercise of power. Their duty is to carry out orders ('not to undertake any work without informing their master'). They are warned against entering into mutual combinations or conflicts : for causing loss of revenue through lack of supervision in one or other of eight specified ways they are liable to penalties on an ascending scale. The *adhyaksha* with his associates and sureties as well as his family is liable for loss caused by his lapses. An officer called *uttarādhyaksha* or 'superior' *adhyaksha* is charged with supervision of his subordinates. The general policy is that of rewarding the good *adhyakshas* and punishing the incompetent ones. The king, as Kauṭilya observes, should tolerate their slight faults, should reward them for a slight increase of revenue, and should confer high honours on those producing an exceptional increase. While the penalty of fine is to be imposed on *adhyakshas* not heeding the king's instructions, those carrying out the king's orders or else improving upon them are to be rewarded with promotions and honours. We read also in a separate context (II 35), that espionage is to be imposed on *adhyakshas* by the *samāhartā*, while both the *samāhartā* and the *pradeshṭās* are to arrange as a preliminary measure the control of the *adhyakshas* and their assistants.

OFFICE ADMINISTRATION OF ADHYAKSHAS

Kauṭilya gives us a list of about thirty civil and military officers of this category with detailed notices of their office management in a number of instances.[4] We may notice here two principal features of the Kauṭilyan pattern of office administration by *adhyakshas*.

Firstly, all the *adhyakshas'* offices are required to be built and equipped on a regular plan. In the layout of the metropolitan city (II 4) separate sites are fixed for State store-houses of different kinds (*koshṭhāgāra*, *bhāṇḍāgāra*, *kupyagṛiha*), the State commercial store (*paṇyagṛiha*), the State records and accounts office (*akshapaṭala*) and the armoury (*āyudhāgāra*). A central authority (*sannidhātā*) is charged with the construction of six offices of this class (II 5); these are the treasury (*koshagṛiha*), the State commercial store (*paṇyagṛiha*), the State store-houses (*koshṭhāgāra* and *kupyagṛiha*), the armoury (*āyudhāgāra*) and the State jail (*bandhanāgāra*). The construction of other buildings is entrusted to their respective *adhyakshas*. To this category (II 7.12, 13, 21, 25 and 30, III 20) belong the *akshapaṭala*, the *akshaśālā*, the *karmāntas* (State factories and workshops) and the *śulkaśālā* (State custom-house) as well as the *pānāgāra* (the State drinking booths), the *dyūtaśālā* (the State gambling-house) the *aśvaśālā* (stables for the State horses) and so forth.

The offices are required to be built according to a plan calculated to suit their respective needs. Some idea of the high standard of construction of the offices may be formed from the following examples. Separate jails, we are told (II 5), are to be constructed for the custody of those sentenced by the *dharmasthas* and by the *mahāmātyas* (*pradeshṭas* ?) with separate accommodation for male and female prisoners. The *akshapaṭala* (II 7) is to be built with the door facing north or east with separate rooms for the clerks and with well arranged shelves of account books. The *koshṭhāgāra* is to be provided with a rain-gauge. In the second place, full provision is made for the working of the different offices. The *adhyaksha*, we read (II 7), should appoint many chiefs (*mukhyas*) to the offices and arrange for their transfers in their *adhikaraṇas*. Again, the *adhyaksha* or his staff or both are required in different contexts to be experts in their respective spheres. The *adhyaksha's* office is to be provided with the necessary human and other appliances. A sort of administrative manual is provided for each of the *adhyaksha's* offices and the *adhyaksha* is armed with disciplinary powers for the enforcement of the office rules. (For concrete illustrations see Chapters IV, V and VI.)

To this advanced organization of administrative offices described in Kauṭilya's *Arthaśāstra* no parallel is found in any other source of this period. From the general accounts of the king's financial and judicial administrations in the *Dharmasūtras*, however, we can infer that there were State offices administered by appropriate officials (see Chapters VI and VII). We have a more particular reference in *Āpastamba-Dharmasūtra* (II 10.25.49) which requires the king to build a hall of invitation (*āvasatha* or *āmantraṇa*) as well as an assembly-house (*sabhā*) according to plan within the limits of the capital city. The hall is to be open to the king's guests (at least to those who are learned in the Vedas) and these are to be provided with rooms, a couch, food and drink according to their respective merits.

STATE RECORDS AND REGISTERS

The system of State administration in the *Arthaśāstra* works is marked by the institution for the first time in our country's recorded history of a series of State registers and census reports. As regards the first item we read that a State Record and Public Accounts Office (*akshapaṭala*) was to be built according to plan, the site for the office being fixed in the layout of the metropolitan city (II 4 and 7). A central authority (*akshapaṭalādhyaksha*) was placed in charge of this office (II 7). Among his duties was the preparation of the Grand State Register relating to selected items of the king's internal and foreign administration. The items are the following :

(*a*) the list of the State offices (*adhikaraṇas*) with their office procedure and out-turns ;

(*b*) the amount of profit and loss, expenditure, wages paid, forced service exacted and other details in respect of the out-turn of the State industrial establishments (*karmāntas*) ;

(*c*) the cost and other particulars of the jewellery, the valuable and cheap commodities, the raw materials (stored in the State treasury and store-houses) as well as products manufactured from them ;

(*d*) the customs and usages of territorial and functional groups (*deśa*, *grāma*, *jāti*, *kula* and *saṁgha*) ;

(*e*) the perquisites, favours and remissions enjoyed by the royal attendants ;

(*f*) the movable and immovable properties acquired by the king and members of his family ;

(*g*) the extra income derived by the king under a number of heads ;

(*h*) the income drawn by the king from his foreign allies as well as from hostiles.

In the above it is evident that the first item is intended to provide a compendious book of reference for all *adhikaraṇas*. For we are told that the officer-in-charge should enter there the functions, the income, the expenditure, the net balance, the procedure and the usage and so forth of all *adhikaraṇas*. The second item is meant to be an equally full record of the working of the State factories and workshops for constant reference. The third item is intended to be an inventory of the contents of the State treasuries and store-houses. The fourth item provides a much needed compendium of the customs and usages of groups forming as we note from other passages (see Chapter VII s.v. *Laws and law-codes*) a supplementary source of the State law in addition to the sources provided by the Brahmanical Sacred Canon. The fifth and the sixth items are intended to be a record of the financial gains of the royal attendants and of the privy purse of the royal family respectively. The last two items deal with a few extra sources of the king's income in addition to the normal sources. The above explanation gives us some idea of the wide scope of the State records dealing with the branches of the central administration.

We now turn to the institution of the census in Kauṭilya's work, which furnishes the most convincing evidence of the Ancient Indian creative spirit in the field of practical administration. The admirable thoroughness of this institution is illustrated by the separate arrangements for the rural and the urban census as well as the comprehensive scope of the same in both instances.

Let us begin with the rural census. The village (*grāma*) in the sense of a fixed settlement was a feature of Indo-Aryan life as far back as in the early Vedic Age. From references in Pāṇini's grammar we learn that the villages in his time were separated by natural or other boundaries, that the village area was divided into tenements, arable and pasture lands, fruit gardens and plantations, the village jungle, the waste land and so forth, that the fields were carefully classified according to their quality, and that their area was calculated in terms of the current land or other measures.[5] It is in this context that we have to understand the main lines of the Kauṭilyan rural census. The census is arranged in three tiers. A preliminary survey and report is prepared by the officers (*gopas*) in charge of blocks of five or ten villages: this is followed by a regional survey of the above by the officers (*sthānikas*) in charge of the four equal divisions of the kingdom: the final abstract is prepared by the officer (*samāhartā*) in charge of the whole rural area. The work of the *gopas* comprises three stages. These are:

Firstly, the preparation of village registers recording the boundary mark of each village and its component parts in a serial order. The components of a village to be listed by the *gopas* are the tenements, the arable lands of different varieties, the gardens and plantations of different kinds, the pastures, the village jungle, the embanked reservoirs, the places of public worship and charities, the pathways and the cremation grounds; a record has to be prepared in the light of this enumeration of the boundary mark of each village and the area of the village jungle and pathways as well as the transfers of village holdings and revenue concessions and remissions enjoyed by the villagers.

Secondly, preparation of registers of taxable and tax-free tenements (*gṛihas*) and the census of *gṛihas* under the heads of caste, occupation, status, number of residents and the government dues under different heads.

Thirdly, preparation of census lists of families (*kulas*) under the heads of sex and age, number of members as well as their occupation and behaviour, together with their income and amount of expenditure. In continuation of the elaborate process described above it is reasonable to assume that the villages were periodically measured by trained surveyors, while the collection of vital and other statistics was similarly undertaken by trained enumerators, and the data about titles to property as well as the revenue charges were found out by references to the legal and fiscal records of the village.

Compared with these details, we have in Kauṭilya but slight information about the census lists of the *sthānikas* and the *samāhartā*. The four *sthānikas*, we are cryptically told, are to consider the area within their charges on similar lines with the *gopas*. They were probably required to prepare abstracts of reports of census lists of the wider regions comprised within their jurisdictions. The *samāhartā*, we read further on, was to divide the villages of each region into three grades, and especially and above all, to prepare a list of the tax-free villages, the villages liable to military service, those liable to contributions in kind and in cash and in compulsory service together with the amount of these contributions.

The counterpart of the rural census and other reports is provided by the urban census. This census is compiled as before in three tiers ; namely, by the *gopas* in charge of blocks of ten, twenty or forty families (*kulas*), the *sthānikas* in charge of four equal divisions of the town, and the *nāgarika* in charge of the whole town. The items comprised in the *gopa's* census consist of the number of male and female residents in each block, their personal names as well as their caste and clan names, their occupations, their income and expenditure. The census of the *sthānikas* and of the *nāgarika* is to be carried out on similar lines. This probably means that they were required to prepare abstracts of the *gopa's* returns.

From a general survey of the above system we may conclude that although its aim was predominantly fiscal, it was so designed as to provide the fullest information about the population of the State at a certain period. This comprised the items relating not only to the total number of people but also to their sex, age, occupation, income and expenditure and so forth. The earliest historical document in confirmation of the above is Megasthenes' account of the municipal administration of Chandragupta Maurya's reign with a separate committee in charge of the collection of vital statistics. We may, however, reasonably infer that the pattern of Kauṭilya's description was followed by the most advanced administrations of the pre-Maurya Age. It may be observed that Kauṭilya's system of a census is in line with his care for the preparation of other inventories, e.g. the contents of the treasury and the store-house and even of the number of domestic animals (cattle and horses) on the king's establishment.[6] This probably points to the indigenous origin of the institution.

OFFICIAL SEALS—STATE POSTAL SERVICE

Another instance of the working of the creative spirit in the field of State administration during this Age is provided by the institution of official seals for various administrative purposes in the *Arthaśāstra* system. For the security of the king's person it was provided (I 20) that articles could be sent into or taken out of the palace only after production of the seal-mark on the container. In the interest of security of the kingdom all persons entering or leaving it were required (II 34) to possess passports under the seal of the officer-in-charge of the same (*mudrādhyaksha*). The fee was fixed at a specified rate and penalties were provided for evading or counterfeiting the seals. For the security of the army on the march it was laid down (X 1) that one could enter or go out of the camp only after production of the sealed permit. How sealed permits were required from merchants at the city custom-house (*śulkaśālā*) and how the annual accounts were required to be presented by the accountants in sealed containers will be explained in Chapters V and VII. It remains to add that references to the king's use of sealed orders are found in the *Jātakas.*[7] We have again a vivid account of the operation of the institution of official seals in the later *Mudrārākshasa* drama which records the incidents of the memorable revolution leading to the replacement of the Nandas by the Mauryas on the imperial throne of Magadha.

Connected with the institution of official seals is that of official scribes (*lekhakas*) for the purpose of expressing the king's instructions in proper literary or diplomatic form. We find in the *Jātakas* repeated references to messages mutually transmitted by kings as well as to the king's orders to his various functionaries. But no information is available about the agency for recording these communications. In Kauṭilya's work the scribes share in the current bureaucratization of the administration. Not only are they placed in a special grade in the king's Civil List (V 3), but a careful analysis is made of their qualifications and the technique of their occupation (II 10). In the last context the author classifies the king's writs (*śāsanas*) under eight heads with distinct designations. It was doubtless through the *lekhakas* that the king corresponded by letter with absentee members of the council of ministers (I 19). The scribes accompanied the king on his march for battle, quarters being fixed for their office in the layout of the camp (X 1).

It is to this Age, above all, that we have to trace the creation of the first State postal service in our country's history. In the *Jātaka* stories (as in No. 343) we hear of female carrier birds being employed by kings as conveyors of messages (*duteyyahārikās*). From Pāṇini's references we learn that *dūtas* or travelling messengers were known by technical terms according to the distances covered by them in a fixed time.[8] It is reasonable to infer that these were largely employed in the State administration. In accordance with the general trend towards bureaucratization of the administration the *dūtas* are placed by Kauṭilya in two special grades (on salaries of 20 and 10 *paṇas*) in the king's Civil List (V 3). The superior class of *dūtas*, it is explained, is capable of travelling from 10 to 100 *yojanas* per day, while the 'intermediate grade' can travel less than 10 *yojanas* per day. Evidently there was no need for the inferior order of *dūtas* in the royal service.

THE NEW DIPLOMACY AND ITS APPLICATION IN THE ARTHAŚĀSTRA SYSTEM

The rise of what may be called a new diplomatic code in the system of the *Arthaśāstra* furnishes more evidence of the wonderful fertility of this Age in political expedients. We find here (II 10) a classification of all political expedients (*upāyas*) under four heads, namely, conciliation (*sāma*), bribery (*dāna*), creating dissensions (*bheda*), and applying force (*daṇḍa*). In consonance with his characteristic preference for intrigue to force, Kauṭilya very often demonstrates with concrete examples the application of the last two policies, the application of the first two policies being much less in evidence. The last named policy, again, is divided into two branches, namely the open (*prakāśa-daṇḍa*) and the secret (*upāṁśu-daṇḍa*), which last means the shameless application of the cult of the poison and the dagger by selected agents (see Chap. VII s.v. *Secret police*).

In so far as the other sources are concerned, we have a parallel to the *Arthaśāstra* tradition in a *Dharmasūtra* text. The king, says Vishṇu (III 38), should apply the principle of expediency for the selection of the four expedients in relation to foreign States. To this we have to add a historical tradition which has been preserved in two famous passages of the Pali canon (*DN* I 72, *AN* IV 173). Here we read that two diplomats were sent by King Ajātaśatru of Magadha to consult the Buddha about the prospect of his war with the republican Vajjīs of Vaiśālī. When the messengers heard the Buddha's assurance of continued prosperity of the Vajjīs because of their observance of a list of seven so-called conditions of welfare, they declared that the Vajjīs could be overcome by their master not in battle but only by cunning (*upalāpana*) and by breaking down their alliance (*mithubheda*).

APPLICATION OF RITUALISM AND POPULAR SUPERSTITIONS IN STATE ADMINISTRATION

The Vedic *Saṁhitās* and the *Brāhmaṇas* acquaint us with a large body of the current sacrificial ritual as well as a mass of the prevailing popular beliefs and superstitions. The sacrificial tradition was continued during this period in the *Śrautasūtras* and the *Gṛihyasūtras*, those handy manuals for the performance of the great sacrifices and of the simple ceremonies used in daily life respectively. Along with the above were continued the old belief in witchcraft as well as in omens and portents. We notice likewise the rise of new popular beliefs in asceticism, in omniscience, in the interpretation of bodily signs and so forth. This was accompanied by the development of astrology and other occult sciences.

A feature of the State administration common to the *Dharmasūtra* and *Arthaśāstra* systems and found in other sources as well is the application of the Vedic sacrificial ritual for purposes of State administration. This is illustrated in the first place by the description of the functions of the *purohita* or the king's chaplain, to which reference has been made in Chapter II. According to Gautama (XI 17) the *purohita* should perform two sets of rites.

The first group comprises rites for ensuring prosperity, such as those for averting misfortune, those for rectifying an evil day, those for securing an auspicious journey, those for procuring a long life and those for auspiciousness. The second group consists of rites for alienating the enemy's subjects, those for bringing the enemy under control, those for destroying the enemy by incantation and those for causing the enemy's discomfiture. In *Āśvalāyana-Gṛihyasūtra* (II 12) the *purohita* is required to perform an elaborate series of auspicious rites for the king immediately before he prepares himself for a battle. Similarly, Kauṭilya (X 3) enjoins ceremonial fasting by the king and the performance of auspicious rites on the king's behalf by the *purohita's* assistants on the eve of a battle. Again, while drawing up the king's Civil List (V 3) Kauṭilya makes provision for the priests officiating at the king's performance of *rājasūya* and other sacrifices. How the king is required to perform popular rites for warding off providential calamities and how the steward of the royal farm (*sītādhyaksha*) is directed to perform the ritual sowing of seeds in the State agricultural farms will be told in other parts of this work.

Another notable feature of the *Arthaśāstra* system is the use of popular beliefs and superstitions in the interests of State administration. In the king's Civil List quoted above, Kauṭilya includes a staff of astrologers as well as interpreters of bodily signs and of omens and portents. It is the court astrologer's duty to attend upon the king every day in his palace after he awakes from sleep in the morning (I 19). His services are also employed on the eve of a battle (X 3). Of the exploitation of popular superstitions for State purposes Kauṭilya gives us numerous instances. From his classification of spies we learn how pseudo-monks and nuns as well as pseudo-ascetics were recruited for this service. To these were added other spies claiming the possession of extraordinary knowledge and so forth (see Chapter VII s.v. *Secret service*). How popular superstitions were to be exploited for raising extraordinary revenue in the king's emergency will be told in Chapter VI. Elsewhere (XIII 1) we are told by Kauṭilya how a deliberate belief was to be created in a king's omniscience for the discomfiture of the enemy.

THE KING'S HOUSEHOLD ADMINISTRATION

We may fittingly close this chapter with some account of the king's household administration. The rise in power and magnificence of the kings of this period is illustrated by the extensive scale of the king's domestic establishment. Pāṇini gives us special terms not only for the Chief Queen and other queens but also for a large staff of the king's attendants in different capacities.[9] Repeated references are made in the *Jātakas* to the Chief Queen and other queens as well as to their maids and other attendants. The *Jātakas* even speak of physicians engaged for the king's treatment (*rājavejjas*).[10] The fullest account of the king's household administration is found as usual in Kauṭilya's *Arthaśāstra* from which we make the following summary.

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In the first place, the Queen-Mother, the Chief Queen and other queens, the Crown Prince and other princes as well as the king's personal attendants were assigned their respective grades in the Grand Civil List of the king (v 3). The queens and the princes possessed, besides, movables and immovables which were required by Kauṭilya (characteristically enough) to be included among the items in the Grand State Register of the officer-in-charge (*akshapaṭalādhyaksha*) (ii 7). Secondly, the royal household was organized on an elaborate scale, and its administration was carried into minute detail. Thus we are told (i 20) how separate quarters were to be assigned inside the palace not only for the king but also for the women on his establishment, for the unmarried princes and princesses, for the officer (*adhyaksha*) in charge of the princes and so forth. The king was to be served in a variety of ways by barbers, toilet attendants and female slaves. An elaborate ceremony of reception is laid down for the king on his getting up from bed in the morning. This consisted of his reception in successive chambers by women armed with bows and arrows, eunuchs and other attendants, crooked men and dwarfs and the aboriginal *Kirātas* as well as by the ministers, the king's kinsmen and the door-keepers. The king's domestic life was dominated by the ever present threat to his personal safety (i 20). His residence was to be constructed above or underground so as to provide a loophole for his escape in case of an attack. Elaborate precautions were to be taken against the outbreak of fire as well as against poisoning and snake-bites. Continuing his description in the following chapter the author tells us how the king was to make a careful selection of his personal attendants, how his person was to be guarded by the troops of the chief officer-in-charge of the harem (*antarvaṁśika*), how his dishes were to be served by the head cook, and how medicines were to be administered by the physicians after they had been tested and proved to be free from poison. The king was to visit the queen in her private apartments only after her person had been examined by an old maid-servant. The king was to be well guarded when making his public appearances on various occasions. The king was to take proper precautions for his safety while bathing, while having his recreation in the garden, and while hunting animals in the forest. Reference may be made in this connexion to Kauṭilya's provision in another context (ii 2) for the creation of a game preserve for the king's recreation at the time of development of the waste lands.

In the above account of the king's household administration two features deserve special attention. In the first place, a medical unit was to be set up inside the palace for the private treatment of the king and the queens. The thoroughness of the arrangement is illustrated by the following points. A site for the medical store (*bhaishajyāgāra*) was to be selected in the layout of the king's palace. A staff of experts skilled in detecting poisons (*jāṅgalavidas*) and other physicians (*bhishaks*) was to be engaged for the royal service at the time of the king's treatment : medicines were to be taken out of the *bhaishajyāgāra* by the *bhishak*, and administered to the royal patient after proper precautions against poisoning. The list of symptoms of poisoning and marks of poisoners given in this connexion is evidently meant for the physician's direction. Suitable accommodation was to be provided for women on the king's establishment in case of their confinement or illness or fatal disease. In the case of the queen's approaching child-birth specialists in the treatment of infantile diseases were engaged for ante-natal care of the infant (I 17, 20–1).

In the second place a salaried courtesan (*gaṇikā*) and other courtesans were to be employed for personal attendance on the king on strict conditions of service. The *gaṇikā* was to be recruited by the officer-in-charge of this class (*gaṇikādhyaksha*). By the terms of her contract she was to get a fixed salary in return for lifelong service. In the event of the *gaṇikā's* death or absconding, her mother was to find a substitute and her son and daughter were to offer themselves for service. The *gaṇikā* and her son could be released from the contract for service only on payment of a heavy ransom (II 27).

CHAPTER III

NOTES

[1] For details of the king's functions in different branches of the State administration see the following chapters. The items of the king's routine for State affairs with their timings in Kauṭilya (loc. cit.) are as follows : Hearing reports of security measures as well as of income and expenditure during the previous day (first watch of the day) ; attending to affairs of the public for town and country (second watch as above) ; receipt of revenues and appointment of *adhyakshas* (fourth watch) ; consultation with *mantri-parishad* by means of letters and attending to secret reports of spies (fifth watch) ; consultation on State policy with *mantrīs* (sixth watch) ; reviewing the army (seventh watch) ; considering military arrangements and consultation with *senāpati* (eighth watch) ; attending to secret police (first watch of the night) ; attending to deliberation and deputing secret police (seventh watch as above).

[2] *Jāt.* refs. to king's directions for temporary administration of kingdom : (a) No. 531, p. 289 (kingdom entrusted by a king to his mother while he goes away to his father-in-law's kingdom to fetch back his wife) ; (b) No. 539, p. 45 (king's instruction to *senāpati* and *vinichchayāmachchas* (judicial officers) to govern the kingdom while he himself leads a retired ascetic life in the palace) ; (c) No. 540, p. 75 (kingdom committed to mother while the king goes abroad for hunting deer). On the king's practice of nominating his heir to the throne see Chap. II s.v. *Rule of royal succession.* In No. 539, pp. 30–9 a king with an only daughter leaves special instructions to his *amachchas* for selection of his successor on condition of fulfilment of certain difficult tests, and the *amachchas* after his death try faithfully to carry out his instructions.

[3] For full refs. see *Jāt. Index* s.v. (a) *Takkaśilā, place of education in Gandhāra country* and (b) *Banaras, place of education.* The *Jātaka* stories of the training of princes are summarized by Fick, op. cit., pp. 92–6, and more recently by Radha Kumud Mookerjee in *Ancient Indian Education*, Chap. XX. Vaguer refs. to the training (as V. S. Agrawala, op. cit., p. 412 thinks) of the king or the prince may be found in the Pāṇinian term *vainayika* (V 4.34). The items included in this category (*vinayādigaṇa* in *Gaṇapāṭha* on the above) with Agrawala's translations are given below : *sāmayika*, 'appertaining to established contractual relationships', *sāmayāchārika*, 'customary law or usage' ; *aupāyika*, 'concerning ways and means' ; *ātyayika* 'urgent business' ; *sāmutkarshika*,

'problems of development'; *sāmpradānika* 'relating to royal charities'; *aupachārika* 'State ceremonial' and *sāmāchārika* 'business of correct procedure'. The teacher (*āchārya*) performing the ceremony of investiture with the sacred thread (*upanayana*) for his pupil and thus starting him on his career as a Vedic student (*brahmachārin*) is characterized in the *Dharmasūtras* as the pupil's father giving him a second and a higher birth. In *KA* v 3 the *āchārya* is included in the highest rank of officers in the king's Civil List. For the teacher's interest in the student's welfare cf. *Jāt.* No. 373, p. 216 (story of a teacher warning his princely pupil through his own power of divination against future danger from his son, and of thus saving the prince's life after his accession to the throne).

[4] We give below the list of *adhyakshas* in *KA*: *kośādhyaksha, ākarādhyaksha, suvarṇādhyaksha, lohādhyaksha, lakshaṇādhyaksha, khanyadhyaksha, lavaṇādhyaksha, koshṭhāgārādhyaksha, paṇyādhyaksha, kupyādhyaksha, āyudhāgārādhyaksha, pautavādhyaksha, mānādhyaksha, śulkādhyaksha, sūtrādhyaksha, sītādhyaksha, surādhyaksha, sūnādhyaksha, gaṇikādhyaksha, nāvādhyaksha, go'dhyaksha, aśvādhyaksha, hastyādhyaksha, rathādhyaksha, mudrādhyaksha, vivītādhyaksha* (ii 11–34) and *dyutādhyaksha* (iii 20). (On the nearest English equivalents of these offices see Index s.v.).

[5] Ref. (a) Pāṇini vii 3.25, iv 4.72 (natural boundaries of villages); (b) ibid. iv 4.104 (*vasati* or village settlement); (c) ibid. iv 4.91, iii 3.119, iv 472, viii 4.3, iii 2.26, viii 4.586 (arable land, pasture, plantations of bamboo, thickets and reeds, fruit-bearing trees, herbs and plants, forests of timber and waste lands, forests for grazing domestic animals); (c) ibid. iii 2.21, iv 1.23 (separate fields and their measurement in terms of the current *kāṇḍa* measure). The above is abstracted from V. S. Agrawala, *India*, pp. 195, 341–2.

[6] On the municipal administration of Chandragupta Maurya see below, Part II s. v. *Town administration*. On inventories of contents of the king's treasury and storehouse in *KA*, see Chap. v.

[7] For *Jāt.* refs. to use of royal seals (*rājamuddā*) cf. No. 214, p. 174 (letter with royal seal).

[8] Pāṇini's list of messengers comprises (a) *pratishkaras* (vi 1.15.2); (b) *jaṅghākara* or courier (iii 2.21) and (c) *yaujanika* or courier travelling a distance of one *yojana* (vi 64). For details see V. S. Agrawala, *India*, p. 410.

[9] V. S. Agrawala, *India*, p. 406, classifies the members of the king's staff mentioned by Pāṇini under four heads: (a) The king's bodyguard, (b) chamberlain, (c) the officer charged with greeting the king, and (d) the king's personal attendants. His explanation (ibid. pp. 406–7) of the Pāṇinian terms *māhisha* and *prājāvata* as meaning the State allowances to the Chief Queen and other queens (after *KA* v 3) is plausible, but his explanation of other items in the above list is largely a matter of conjecture.

[10] Cf. *Jāt.* No. 401, p. 337.

CHAPTER IV

THE MONARCHIC STATE—III. POLITICAL ORGANIZATION

THE Vedic *Saṁhitās* and the *Brāhmaṇas* point to the exercise of what may be called executive, judicial and military functions by a king with the help of his officials. There are occasional texts (*AV* xx 127. 7–10, *CU* VII 5) which suggest that the test of a good administration was held to be the peace and prosperity of the humble subjects and their freedom from sins of every kind.[1]

The pre-Maurya Age is the first great period of organized State administration in our ancient history. In the advanced systems new lines are opened in the branches of political, economic and military organization of the State. This is accompanied by the adoption of extensive administrative measures as well as clauses of the State law for giving effect to the new State organization. The whole system, in short, is marked by the creative spirit characteristic of this Age. In the present chapter we shall deal with the political organization of the State, leaving the other aspects for the subsequent chapters.

Main divisions of the subject:

I. Public security and welfare.
II. Security and progress of the State.
III. Development of the Brahmanical pattern-State and its limitations.

I. PUBLIC SECURITY AND WELFARE

In all ages and countries it has been the aim of a good State administration to protect the lives and properties of the subjects against dangers from inside as well as from outside the State territory. How real were these dangers in the pre-Maurya period is indicated by the repeated references in the *Jātaka* stories to the harrying of villages by bands of brigands, who systematically carried away the inhabitants to slavery.[2] It is to the credit of the advanced systems of this period that they emphasize throughout the obligation of the king to perform this elementary duty of protection. The king's distinctive duty (*dharma*), we are repeatedly told in the *Dharmasūtras* (Gaut. x 7, XI 9, Vas. XIX 1, Vish. II 12, III 27) is the protection of creatures, its benefits being extended in Vishṇu (III 66–7) to men of all castes. Kauṭilya (I 19) not only repeats this principle, but solemnly compares the king's dutiful fulfilment of his obligation with the performance of a sacrifice.

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SUMMARY OF MEASURES FOR ENSURING PUBLIC SECURITY IN THE ADVANCED SYSTEMS

The *Dharmasūtras* as well as the *Arthaśāstra* of Kauṭilya contain for the first time clauses of law for the security of the person and property of the people under such heads as assault, theft and violence. The special responsibility of the State for the protection of public property is indicated by such clauses as the one requiring the king to be personally liable for restoring stolen property to its owner and, in default, to compensate him out of his own treasury (cf. Gaut. x 46–7, Vish. II 66–7). This obligation is extended by other clauses (Gaut. loc. cit., Vish. loc. cit., Kauṭilya's *Arthaśāstra*, III 16) to the king's officials. The king, again, is declared to be the guardian of minors, infants and persons unfit to transact legal business, like women, as well as of lost and ownerless property (Gaut. x 37–8, ibid. 48, Vas. XVI 7–9, ibid. 19–20, XVII 54, XIX 35–6, Baudh. I 10.18.16, Vish. III 63). The policy of public security is carried into full detail in the *Arthaśāstra* system. The king, says the author (II 1) at the conclusion of his programme for the development of the rural area, should ensure the safety of his kingdom against the depredations of enemies, irregular troops and foresters, the safety of cow-pens against thieves and poisoners, and the security of trade-routes which are in danger of obstruction by the courtiers, State officers of various types and thieves. In another context (VIII 4) the author shows his awareness of the danger from foresters (*āṭavikas*) which is held to be worse than the danger from plunderers. The *āṭavikas*, it is argued, live in their own territories; they are numerous and powerful; they make open war or rob or kill people, and thus they make themselves the equals of kings.

Let us pass to another aspect of State policy for ensuring public security which is presented in scattered passages in Kauṭilya's work. This involves control over possession of arms evidently in the interest of public security. Among the duties of the *nāvādhyaksha* (q.v.) is mentioned (II 25) that of arresting persons travelling in the boats with concealed weapons. A hint about the control of the arms traffic is conveyed in another passage (II 11) which declares the import of weapons as well as of small armour to be punishable with fines and confiscation of the merchandise.

PROTECTION OF ANIMAL LIFE

The sentiment of sanctity of animal life (*ahiṁsā*) was practically unknown to the Vedic Age. The ritual slaughter of animals on a large scale formed an essential feature of such sacrifices as the *Aśvamedha* and the whole group of *Soma* sacrifices. The doctrine of *ahiṁsā*, which was first inculcated in some *Upanishad* texts, received a great impetus from the teachings of Mahāvīra and Buddha, who imposed the vow of abstention from animal slaughter not only upon monks and nuns but on the laity as well.

In the following period the *Jātaka* stories indicate a tendency towards condemnation of animal slaughter by the moralists of the Age as well as by the contemporary State authorities. This was frequently frustrated by the popular habit of killing animals for religious sacrifices as well as for food. In particular, we read how kings and village authorities imposing the ban on the slaughter of animals from time to time were forced by popular demand to withdraw the ban on the occasions of popular festivals.[3]

Kauṭilya's statement of the policy for the protection of animal life is presented in general terms in the course of his description of the colonization of waste lands (II 2). Here we are told that animal sanctuaries (*abhayavana* or *sarvātithimṛigavana*) are to be founded at the frontier of the kingdom or at other suitable centres. The actual measures for the protection of wild life are to be taken, somewhat surprisingly, by the officer-in-charge of the slaughter-house (*sūnādhyaksha*) (II 26). These comprise the levy of fines on a regular scale for capturing, hurting or killing quadrupeds, birds and fishes on a proclaimed list of protected animals as well as the animals lodged in the State sanctuaries, and those not given to preying on other animals. Out of the birds and beasts captured under the law we are told in the same context, one-sixth were to be released and sent to the animal sanctuaries. In another extract, the king, coming into possession of a new territory is asked (XIII 5) to impose a periodical ban on the slaughter of animals. The periods consist of a half lunar month during the *chāturmāsya* season, four nights (and days) during the full-moon days throughout the year and one night each on the day of ascension of the king's ancestral star as well as the star of the kingdom. It is further enjoined that the slaughter of female and young animals as well as the castration of bulls and other creatures should be forbidden.

MEASURES FOR ENSURING PUBLIC WELFARE

No aspect of the State administration in the pre-Maurya Age is so striking in its modernity as the policy for the promotion of public welfare. We give below a summary of the relevant measures in the *Dharmasūtra* and *Arthaśāstra* accounts of the king's administration.

In the first place certain classes of persons are declared to be altogether exempt from taxation in the *Dharmasūtras*. The lists comprise Vedic students and men of Vedic learning, women of all castes, ascetics, all boys before appearance of the signs of puberty, as well as those in residence with their teachers for study, Śūdras doing menial service as well as the blind, the dumb and the diseased, and cripples over seventy years of age (Āpast. II 10.26.10f, Vas. XIX 23–4, ibid. 26, ibid. 37). What is more, certain categories of persons are held in the *Dharmasūtras* to be entitled to State relief. In this list (Gaut. X 9–12, Vas. XIX 35–7, Āpast. II 10.26.22) are included (a) learned Brāhmaṇas and those who are unable to work even if they are not Brāhmaṇas, (b) temporary students, (c) eunuchs and mad men whose property devolves upon the king because of their exclusion from inheritance, and (d) girls who have been violated. The king, again, is required to protect the property of various categories of persons who are unable for various reasons to look after it. It should be noted that

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property left temporarily without an owner is required by the authors of the *Dharmasūtras* to be looked after by the king.[4] In Kauṭilya's work certain categories of persons are stated to be exempt from tolls, ferry charges and the like. Elsewhere (III 11) relief from the payment of interest of debt is granted to minors occupied with sacrifices or studies or affected by disease. In the instances quoted above we have anticipation of modern State programmes for the administration of poor laws and the creation of a court of wards.

In the second place Kauṭilya gives us in a separate section of his work (Section IV, entitled *Eradication of thorns of rural and urban areas*) a comprehensive programme for relief of the public against human and providential calamities. The items comprised in this programme are as follows: (a) Protection of the public against anti-social elements (IV 1). (b) State control over marketing operations (IV 2). (c) State relief against providential calamities (IV 3). (d) Detection and punishment of criminals of thirteen types (IV 4–6). (e) Inquest into cases of sudden death (IV 7). (f) Interrogation and torture for extorting confessions from the suspects (IV 8). (g) Security of all government offices (IV 9). (h) Penal laws for various types of crimes (IV 10–13).

Leaving aside the other items for consideration in the following chapters, we propose to take up here Kauṭilya's account of the measures for relief of the public against providential calamities. These calamities are classified by the author under eight heads, namely, fire, flood, disease, famine, pests (*mahābhayas*) of rats and ferocious animals as well as snakes, and lastly and curiously enough, the visitations of demons. From Kauṭilya's quotation of a discussion of the relative seriousness of these calamities in successive pairs by an early *Arthaśāstra* authority (VIII 4), we may infer that the State policy of relieving the public against the same was known before his time. The spirit of Kauṭilya's relief measures is indicated by his concluding solemn injunction to the king (IV 3) to act like a father towards his afflicted subjects. These measures combine ritual performances which need not detain us in the present context with other methods which are summarized below.[5] To the above we may add a few points. Kauṭilya recognized the principle of individual responsibility for public safety. On the one hand penalties are laid down for one not saving a man who is being carried away by flood or is attacked by wild animals: on the other hand rewards are offered to one bringing up the carcases of wild animals killed by him. We have a hint of a special tax on property for the purpose of famine-relief in the solemn injunction to the king to fleece the rich or else make them vomit their surplus wealth.

In the third place the State is required to provide food, shelter and clothing as well as medical treatment for the needy. This implies something like the creation of a State almoners' department. To take some instances, Āpastamba (II 10.25.8–9), after laying down the general rule that no one in the kingdom shall suffer hunger, sickness, cold or heat either through want or intentionally, states specifically (ibid. 11) that the king's guest-house at the capital shall be open to all guests who are to be provided with rooms, bed, food and drink according to their merits. According to Śaṅkha-Likhita (Kane's list, no. 247) the king shall make gifts to Brāhmaṇas and others, and shall provide food and clothing as well as lodging and medicine for the indigent, the diseased and the friendless, for persons with defective limbs, widows, infants and the aged. A general rule in Vishṇu (III 79–80) similar to that of Āpastamba quoted above states that no Brāhmaṇa or other person engaged in religious acts ('the performance of a category of six religious rites') should be allowed by the king to suffer from hunger in his kingdom. The spirit of the above teaching is indicated by a remark of Āpastamba (II 3.7.12) requiring the king to treat his guests with higher honour than himself. An indirect reference to the working of the State guest-house occurs in a preceding text of Āpastamba (II 4.16–21) where the slaves of a Brāhmaṇa are directed to take out food from the king's palace to enable him to entertain a Śūdra guest. This is explained by Haradatta, a later commentator, to mean that the king shall set apart some paḏdy in each village for the entertainment of Śūdra guests.

In the fourth place the State in the *Arthaśāstra* is charged with a definite policy of promotion of public health. This introduces us to one of the most surprisingly modern aspects of State administration in our ancient history. The programme is sufficiently comprehensive to include both curative and preventive measures which may be summarized after Kauṭilya's description under three principal heads.

1. Ban on unwholesome food and medicine. The *saṁsthādhyaksha* who is charged with the protection of the public against dishonest dealers (IV 2) is required to punish adulteration of food-grains, vegetable oils, salts and alkalies with a fine. Similarly fines are to be imposed by the *sūnādhyaksha* for the sale of malodorous meat as well as the meat of animals dying a natural death, or not killed in the slaughter-house (II 26). Dealers in drugs and eatables suspected to be poisonous are to be entrapped by spies and punished with exile when they are found out (IV 4).

2. Strict control over practising physicians in the interest partly of their patients and partly of public security. Among the municipal regulations in force in Kauṭilya's *Arthaśāstra* (II 36) is one requiring the physicians, (*chikitsakas*) to report the cases of patients seeking treatment for secret wounds to the town officials (*gopas* and *sthānikas*) (see Chapter IX). A more sweeping clause is included in the list of general regulations for protection of the public against dishonest practices of artisans and professionals (IV 1). This mentions an ascending scale of penalties for the *chikitsaka* treating a patient for dangerous diseases without informing the authorities if the patient died in spite of good treatment, or if he died because of carelessness of the physician, or suffered a vital injury in the course of the surgical operation.

3. State provision for medical treatment of the public. This is marked by the author's characteristic thoroughness. A site is to be set apart for the State medical store (*bhaishajyagṛiha*) in the layout of the metropolitan city

(II 4). This is evidently meant to provide for the public, unlike the king's private medical store (*bhaishajyāgāra*) inside his palace (I 20). Again, not only are medicinal plants to be cultivated on the appropriate soil by the *sītādhyaksha* or the officer-in-charge of State farms (II 22), but the import of drugs is to be allowed at the lowest rate of duty, namely one-twentieth or one-twenty-fifth (II 21). Revenue-free lands are to be assigned to the *chikitsakas* in newly colonized rural areas (II 1), no doubt for the benefit of the local residents. At the outbreak of diseases and epidemics physicians equipped with medicines are required to treat the patients (IV 3), it may be inferred, at State expense. It may be explained in this connexion that the physician figuring in the king's Civil List (V 3) appears to be intended for the king's private treatment.

STATE PROVISION FOR PUBLIC WORKS

Let us pass to another aspect of State policy for the promotion of public welfare in the advanced systems of administration, namely, the construction of public works. The most complete account is found as usual in Kauṭilya's *Arthaśāstra*. In the first place Kauṭilya's comprehensive programme of development of waste lands (II 1–4), to which fuller reference will be made below, included the construction of trade-routes, opening of land- and waterways, foundation of market towns as well as construction of irrigation-works (*setubandhas*) fed with natural or artificial supplies of water within the rural area. Simultaneously, a complete road-system was to be built up within the municipal area. A triple line of roads at the axial points (three roads running from north to south and three others from east to west) was to form the foundation of town-planning, and the series of accessory roads of different specified width for transport of different kinds was to constitute its supplement. The construction of a similar road-system within the settled rural and urban areas is taken for granted by the author in other contexts (II 36 and III 10). In the second place sufficient care was taken for the maintenance of roads in good condition. In the rural area the obstruction of roads of different categories and still more encroachment on roads and their cultivation by the plough were visited with an ascending scale of fines (III 10). Within the urban area a similar scale of fines is prescribed for throwing different kinds of foul matter on the roads and for throwing the carcases of dead animals and human corpses on them. In the third place provision was made (II 28) for the construction of a fleet of cargo and passenger boats for public use as well as for their equipment and manning by a special *adhyaksha* in charge of shipping (*nāvādhyaksha*). This officer was required to equip the larger boats with a complete staff of captains, sailors and mechanics and likewise to equip the smaller boats. In default he had to compensate the sufferers for their loss. These boats were let out on public hire at specified rates.

Turning to our other sources, we have in the *Jātakas* valuable pictures of contemporary life which help us to check the somewhat one-sided account of the *Dharmasūtras* and the *Arthaśāstra.* We find in them two distinct and even contradictory aspects of the king's administration. On the one hand the king is described in some of the stories as providing for the safety and welfare of his subjects. We read, for instance, of kings who frequently sought in accordance with the beliefs and superstitions of the time to relieve their people from the calamities of drought and famine.[6] We are also told how good kings frequently characterized their rule by the construction of multiple *dānaśālās* ('halls of charity', or more briefly, alms-houses) in their capitals.[7] In these respects the stories recall the State policy of public welfare after the pattern set by the *Dharmasūtra* and *Arthaśāstra* authors. A higher moral level is reached in the stories of good kings who strove actively to promote the good life of their subjects on canonical lines.[8] This introduces us to an aspect of State policy which is treated imperfectly or not at all in the *Dharmasūtras* and the *Arthaśāstra.*[9]

On the other hand there are stories illustrating the insecurity of life of the subjects under the rule of tyrannical kings. From these stories we learn that in the prevailing atmosphere of court intrigue there was no protection against tyrants on the ground of the victim's rank of piety or record of faithful service and that the honour of virtuous women was not safe from their lusts. In a number of stories the oppressive kings are described as sinking into hell, or else being struck down by the god Sakka, thus conveying the author's sense of divine retribution on tyrants. In a few animal fables a king, after passing a general and undeserved order for the destruction of a creature, is shamed into revoking his order by the rebuke of the animal leader.[10] We have again, a large number of stories pointing to the insecurity of the property rights of the subjects under the rule of kings. It would even appear that the kings exercised some control over private individuals as regards the distribution of wealth in charities.[11] The popular estimate of the evil characteristics of kings, namely, their limitless ambition, their cruelty and their cunning is put forward in some of the stories for greater effect into the mouths of notoriously cruel characters.[12] Well might a wandering ascetic, while rejecting the offer of his paternal office of *purohita,* remind his king (no. 310, p. 32) that the occupation of a wandering mendicant is better than the attainment of a kingdom. We may conclude this portion of our subject by quoting a remarkable historical reference in a Pali canonical text (*Vinaya,* Vol. I, pp. 112–13). Here we read that the danger from kings heading a list of similar dangers led to a conscious modification of the Buddhist ceremony of the confessional formula (*pātimokkha*).[13]

STATE CONTROL OF FAMILY LIFE

The patriarchal family occupied the position of the fundamental unit of society in our country since the Age of the Vedic *Saṁhitās* and the *Brāhmaṇas.* In the following period the stability of the family unit was threatened by a great movement towards renunciation of the world and the adoption of an ascetic life. The *Dharmasūtras* laid down rules for the order of the hermit

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in the forest (*vānaprastha*) and the ascetic (*parivrājaka* or *sannyāsin*) in sequence to those of the student (*brahmachārin*) and the householder (*gṛihī*).[14] This sequence was disregarded in the great urge for renunciation of the world to which reference has been made above. From a *Jātaka* story we learn that it was customary for a Brāhmaṇa on reaching proper age either to enter upon the life of a householder or to embrace the ascetic life. The *Jātakas*, moreover, inform us that the lure of the ascetic life (*isipabbajjā*) was so strong at the time as to lead kings and princes, Brāhmaṇas and rich merchants to give up their easy mode of living and retire to forest retreats for ascetic practices. Such men were led not by a social or a religious law, but by a variety of motives, such as the experience of maltreatment by their guardians, or a sense of bereavement on the death of their relations, and at a higher level, reflection on the vanities of earthly greatness and the inevitability of old age and death. How baser men took advantage of the prevailing trend towards renunciation to make out a living is shown by the stories of sham ascetics in the *Jātakas* and the reference to the State exploitation of their services in Kauṭilya's *Arthaśāstra*.[15] From other stories in the *Jātakas* we learn that maltreatment of the parent in old age by the son and the daughter-in-law could sometimes reach fearful proportions.[16]

It is in this context that we have to explain the rise of a policy of State control over family life in the *Dharmasūtras* and *Arthaśāstra* works. But while the enforcement of family obligations was sought in the *Dharmasūtras* mostly by social bans and penances, it was attempted in the *Arthaśāstra* by clauses of the State law. We may illustrate our remark by a number of examples. Casting off the teacher, the mother, the father, the brother, or the son is included in a list of minor sins (*upapātakas*) causing loss of caste in a number of *Dharmasūtra* texts (Gaut. XXI 1.11, Āpast. I 21.9–10, Vas. I 23, Vish. XXXVIII 6, ibid. 9–10, 13). In another passage (Vish. LXXXII 23, 29) the penalty for casting off the mother, the father, or the teacher, without sufficient reason is declared to be exclusion from invitation to the ceremony of offerings to the Manes. Elsewhere (Vish. V 163) casting off the mother, the father, the wife or the son, unless they are guilty of a crime causing loss of caste, is declared to be punishable with a fine. In Kauṭilya's *Arthaśāstra* (II 1) neglect to maintain one's parents, wife and children, minor brother and sister as well as unmarried and widowed sisters in spite of ability to do so, is visited with a fine. The exceptional position of the mother is illustrated by the clause that she cannot be cast off even though fallen from caste. In the same context one entering the monastic order without providing for his wife and sons and one inducing his wife to enter the same order is punished with a fine. It is permitted only to a superannuated man to renounce the world with the permission of the judges (*dharmasthas*), and imprisonment is declared to be the penalty for violation of this rule. According to a comprehensive clause of law (III 20) the father and the son, the husband and the wife, the brother and sister, the maternal uncle and the nephew as well as the preceptor and the disciple are punished with a fine for casting off each other.

STATE POLICY TOWARDS POPULAR AMUSEMENTS

The Vedic Indians were acquainted with a number of popular amusements such as music, song and dance. These appear to have been much developed in the pre-Maurya Age. References in Kauṭilya's *Arthaśāstra* prove that popular festivals of different kinds formed the normal feature of city and village life in his time. We are told, for instance, how the kings used to attend the festivals called *yātrā*, *samāja*, *utsava* and *pravahaṇa* (I 21), how the *utsava*, *samāja* and *yātrā* were accompanied with unrestricted indulgence in drink for four days (II 25), and how the king acquiring a new territory was expected to respect the current *utsava*, *samāja* and *vihāra*. The same picture of popular festivals is set forth in passages of the early Buddhist literature. We are told for instance how *samajjas* (social gatherings) were held at the palace courtyard after the public had been summoned by the beating of drums. The performances included wrestling, archery, the fights of rams and elephants, dramatic performances and musical competitions. Great popular festivals (*chaṇa* or *ussava*) were held on full-moon nights during the months of *Kārtika* and *Āśvina*.[17]

The assumption of a definite State policy towards popular amusements and festivals is a characteristic development of the pre-Maurya period. According to a *Dharmasūtra* text (Āpast. II 10.25.14) taking up arms for fighting, dancing, singing and the like were to be performed only at the residences of the king's servants. This was evidently intended to bring the popular entertainments entirely under official control. The object probably was as much to ensure peace and order as a high standard of the performances. The general policy of the Kauṭilyan State appears to be encouragement of the popular festivals. In the rural areas the co-operative organization of theatrical shows (*prekshā*) was encouraged by such a clause of law as that forbidding one not contributing to the common fund to witness the show (III 10). In the urban area no one was to be punished for staying out of doors during the 'forbidden' hours for witnessing *prekshā* (II 35). (On the curfew regulations in force in the cities in *KA* see Chapter XI below.) In the same spirit the king acquiring a new territory was required to show respect for the current popular festivals (*samāja*, *utsava* and *vihāra*) (XIII 5). A completely different policy was followed in the newly colonized rural areas (II 1). Not only was a ban imposed on the erection of gardens and places of entertainment, but an embargo was laid on public entertainers of specified varieties. The object is clearly stated to be that the villagers for want of places of entertainment would be constantly occupied with cultivation, and thus contribute to various dues of the State in cash and in kind and in the shape of forced labour. In other words the tenant cultivators were to be denied all amusements for the deliberate purpose of extracting the utmost revenue out of their toil.

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STATE REGULATION OF POPULAR VICES

1. DRINKING

The vice of drinking liquors was known to the Vedic Indians. Apart from the holy *soma* drink offered to the gods at the great sacrifices and drunk by the officiating priests at the end of the ceremony, the *surā* or the intoxicating drink was in popular use. References to this popular vice are much more frequent in the following period. The *Jātaka* stories inform us that popular festivals attended with indulgence in drink, or as they were called drinking festivals (*surāchaṇo*), were so well established that a local or a central authority occasionally imposing a ban on drink had to yield to the popular demand to relax the order on such occasions.[18] From other sources we learn how varieties of liquors brewed from rice, molasses and so forth, along with the intoxicating ferment needed for their manufacture, were well known at this time, while there were technical terms for signifying distilleries, vintners and drinking booths.[19] A great impetus was given towards the prohibition of drink by the penitential law of the *Dharmasūtras* and the rules of the Buddhist and Jaina monastic orders. The former enforced prohibition by social sanctions as well as by penances upon drunkards, while the latter included the vow of abstinence from drink in the list of commandments for the adherents of their faiths.[20] The operation of this prohibition in real life is shown by a *Jātaka* story[21] stating how drinking of *surā* was a taboo to Brāhmaṇas. Another story (No. 512), after tracing in folklore fashion the accidental discovery of intoxicating drinks (*surā* or *vāruṇī*) in antiquity and its prohibition by the then reigning king ends with the candid admission that the habit of drinking *surā*, nevertheless, gradually spread through *Jambudīpa*. State policy on this point in Kauṭilya's work is somewhat complex. On the one hand drinking is included in a list of popular vices (*vyasanas*) and the degree of its evil in comparison with other vices is made the subject of a theoretical discussion (VIII 3). This leads to the conclusion that drinking is the worst of all *vyasanas*. On the other hand Kauṭilya (II 25) contemplates the creation of a State monopoly for brewing the best varieties of liquors and for their sale to the public with necessary restrictions and with proper arrangements for the customers' comfort. We give some details of Kauṭilya's programme. A special *adhyaksha* (*surādhyaksha*) is entrusted with the task of controlling the production and sale of *surā*. Elaborate technical processes are laid down evidently for the guidance of this officer for distillation of six varieties of *surā*, for preparation of the ferment (*kiṇva*) and for flavouring the liquors evidently at the State distillery. The *adhyaksha* is to arrange for a countrywide deal in *surā* and in *kiṇva* and is allowed full discretion for disposal of the liquors through the methods of concentration and dispersal or a combination of both. The State monopoly is guarded by penal clauses, heavy fines being imposed for the production, sale and purchase of liquors elsewhere : a fine of five per cent is laid down for the sale of illicit liquors. Drinking booths (*pānāgāra*) are to be built according to plan so as to provide comfort for the customers. The sale and consumption of liquors are to be restricted in the interest of public morality and of law and order as well as of industrial production. To take some instances, liquors are not to be taken outside the village or even one's own residence for fear of causing obstruction to those engaged in industry, of producing transgression of the standard of Aryan behaviour and of encouraging the activities of the braves (*tīkshṇas*). By way of relaxation of the above rules, persons of known good behaviour are allowed to consume liquor with the royal seal outside their homes in strictly limited quantities. Again, while a ban is laid on the sale of superior *surā* on credit and at a reduced price, inferior *surā* is permitted to be sold as above at unauthorized shops. Furthermore, an unrestricted licence for drink is permitted for four successive days and nights on three specified occasions.

2. GAMBLING

The vice of gambling was known to the Ancient Indians from the Ṛigvedic times. This is indicated by the oft-quoted hymn (*Ṛigveda*, x 34) popularly known as 'the gambler's lament'. A particular ritual of the *Rājasūya* sacrifice consisted, according to the *Brāhmaṇas*, in the staking of a cow by a tribesman or else by representatives of the four classes on a prepared gaming ground, and by the ceremonial winning of the stake by the king. During the following period we learn from the *Jātaka* stories that kings built gaming-halls (*jūtaśālās* or *jūtimaṇḍalas*) in their palaces, and that they played for great-stakes with others skilled in the game. Reference is made likewise to technical terms for throws of the dice.[22] The *Dharmasūtras* introduce us to the State regulation of gambling and prize-fighting. Vishṇu for example prescribes mutilation of the limbs for dishonest practices in gambling. A public assembly-hall (*sabhā*), says Āpastamba elsewhere, is to be built according to plan in the south of the capital town: in the middle of the *sabhā* there should be a table for playing dice: the dice should be even in number and made of *bibhītaka* wood: men of the first three castes, who are pure and truthful should play there.[23] This remarkable arrangement is evidently designed for the entertainment of the upper classes, and is intended to provide them with proper accessories for play in comfortable surroundings. More elaborate arrangements are made in the *Arthaśāstra*. The chief *adhyaksha* in charge of gambling (*dyūtādhyaksha*), says Kauṭilya (II 27), is to arrange for public gambling in a central place for facility of detection of clandestine thieves: all *adhyakshas* in charge of gamblers are to provide genuine dice and throwers, and the *adhyaksha* failing to prevent malpractices at play is liable to a penalty. Other penalties are laid down for various dishonest practices of the players and for their playing elsewhere than at the central place. The *adhyakshas* are to collect five per cent of the winners' stakes and hiring charges for the supply of dice and accessories and for provision of drinking water and accommodation. These provisions are evidently designed to provide the players with proper accessories and guaranteeing them

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against dishonest practices, as also to serve the interest of public security and the State finance.

STATE CONTROL OVER DISREPUTABLE PROFESSIONS

A feature of the advanced State administration of this Age, which is closely connected with the one last mentioned, is the control assumed by Government over a number of disreputable professions. The list consists, according to an enumeration in Kauṭilya (II 27), of actors, dancers, singers, players of instrumental music, buffoons, mimic players, rope-dancers, jugglers, wandering minstrels, pimps and unchaste women as well as the *gaṇikā* or the courtesan who is taken to be the pattern of all the rest. The fullest description of State control is reserved for the last named class.

The *gaṇikā* is a recognized public institution during this Age. In the early Buddhist texts we are told about *gaṇikās* being set up by public authority in capitals of the monarchic States as well as of the republics.[23] We have a fairly complete account of State control of this class in Kauṭilya's work (II 27) from which we draw the following summary. A special officer in charge of *gaṇikās* (*gaṇikādhyaksha*) was entrusted with the particular function of selecting the chief *gaṇikā* and other *gaṇikās* for personal attendance on the king, and fixing the terms of their contract for this service. He was also required to regulate the dealings of this class with their customers, while maintaining an inquisitorial control over their earnings. We read for instance that *gaṇikās* guilty of the offences of abuse, assault and murder and even for non-entertainment of visitors at the king's command were liable to heavy penalties. The *gaṇikā* was to report on her earnings, which, along with her expenditure and investments were entered by the *gaṇikādhyaksha* in his register. That these entries were utilized for assessment of a kind of income-tax on this class is proved by the fact that prostitutes in normal times were required to pay two days' earnings every month to the king, while these along with the actors had to pay one-half of their income during the king's financial emergencies. The *gaṇikā* was forbidden on pain of a heavy fine to deposit her ornaments with any one other than her mother and likewise to sell or pledge her other properties. The training of the *gaṇikās* and female slaves as well as actresses in a large number of technical arts specified by the author was recognized to be a State obligation, the teachers being assured of their livelihood by the public authority.

STATE RELIEF OF SLAVES

Slavery was an age-old institution in our land by the beginning of the pre-Maurya Age. The evidence of records of this Age points to various methods of recruitment of slaves known at the time. Slavery arose from birth, from capture in war, from purchase, gift or pledge, from choice due to economic distress, from failure to repay debt or redeem losses at dice, from disposal of wife and children by the head of the family and from the act of the State in punishing criminals by judicial decree or executive order. This gave rise to the first formal classifications of slaves that we find in the Pali canonical literature.[24]

The *Dharmasūtras* contain but slight references to the State or the social policy towards slavery. The authors explicitly recognize the practice of slave-trading by Brāhmaṇas and Kshatriyas (Āpast. I 7.20, 11 and 15, Gaut. VII 14, Vish. II 39). The only restriction on the trade is that the sale of the wife or the child is included among the *upapātakas* or Minor Sins in some texts and visited with penances in other passages (Gaut. XXI 11, Baudh. II 13). For the rest there seems to have been no legal protection of slaves against maltreatment by their masters. Instead, we have a moral argument for their humane treatment (Āpast. II 4.9.11).

The State's policy towards slavery in the *Arthaśāstra* system is marked by interesting developments. Respect for the master's right of property is illustrated by such clauses (*KA* II 1) as that compelling slaves and pledged persons to fulfil their obligations towards their masters and their pledges, and that condemning runaway slaves when caught to loss of their right of emancipation. On the other hand various substantial reliefs are allowed to the slaves for the first time under a particular title of the Kauṭilyan civil law. These clauses are inspired partly by the old Vedic tradition of the privileged Aryan community and partly by the spirit of a new humanism. The reliefs stated in the above and other contexts may be classified under the following heads :

(*a*) check on traffic in slaves of Aryan ways of living (*āryaprāṇa*): this is justified by the remarkable maxim that while barbarians incur no blame for sale or pledge of their children, an Aryan can never be reduced to the status of a slave,

(*b*) exemption of *āryaprāṇas* from servitude by capture in war,

(*c*) legal protection of slaves against maltreatment by their masters,

(*d*) grant of limited property rights to the slaves,

(*e*) legal provisions for the emancipation of slaves.[25]

We may pause here to discuss the significance of Kauṭilya's clauses of law for the relief of slavery. It has been alleged that these mark ' the earliest great movement of emancipation among the slaves ' and ' a systematic attempt on the part of a secular State to abolish slavery virtually for all.'[26] This conclusion is refuted by the following arguments. Firstly, Kauṭilya contemplates the employment of slaves not only in the king's household but also in the State agricultural farms, the State mines and granaries, the State liquor shops as well as spinning and weaving factories. Slaves are likewise employed by the State on espionage work. How much the institution is held by Kauṭilya to be a normal feature of village life is proved by the fact that the number of slaves as well as free labourers is required to be entered by the rural officer (*gopa*) in his census of families. The true significance of Kauṭilya's laws in the history of Indian slavery lies in their imposing for the first time restrictions on the slave traffic and providing for the humane treatment as well as the easy emancipation of slaves.

Some light is thrown upon the status of slaves and the State's attitude towards slavery in the Pali canon and the *Jātakas*. In the *Jātaka* stories we have occasional pleasing pictures of the treatment of slaves as members of the master's family. To take some instances, we hear of a family consisting of a Brāhmaṇa and his wife, his son and daughter and daughter-in-law and his female slave (*Jāt.* No. 354, p. 162), and again of a female slave being asked by her master along with the members of his family to beg a boon (No. 289, p. 428). In other places, however, we have a vivid picture of the miserable condition of slaves. Thus in one place (*DN* I 73) servitude is ranked with debt, imprisonment, illness and journey through a wilderness as a most painful condition. In fact, the accounts tell us that there was no legal provision for the slave's protection, and that the condition of a slave depended upon the temperament of his individual master. As a wise man declares in one story, the weal and woe of the slave depended upon his master, and again that the gentleman (*āyiro*) is the lord and master of the slave (*Jāt.* No. 545, pp. 285, 300).[27]

STATE POLICY TOWARDS KINSHIP AND TERRITORIAL GROUPS

The institution of kinship groups has been a feature of our ancient society from early Vedic times. In the pre-Maurya Age these are represented by the groups of families (*kulas*), sub-castes (*jātis*), clansmen (*gotras*) and kinsmen (*jñātis*). To these we have to add the territorial groups consisting of residents of the same region (*deśa*) and village (*grāma*). The State policy in the advanced systems seems to have aimed at stabilization of these institutions. In the *Dharmasūtras* and in Kauṭilya's *Arthaśāstra* not only are customs and usages of territorial and kinship groups given the force of law (see Chapter VII), but there is in Kauṭilya's work (III 10) a specific clause for enforcing the performance of agreement made by individual cultivators with the collective body of villagers (*grāma*) and the operation of this clause is extended in favour of the groups, *deśa*, *jāti*, *kula* and *saṁgha* (q.v.).

Another aspect of State policy deserving mention in this connexion is concerned with the sentiment current at that time of pride in one's kin and territory. Testimony to this sentiment is borne by a text of Pāṇini (IV 3.100) which mentions word-forms indicating devotion (*bhakti*) of the inhabitants of territories (*janapadins*) towards their own territory or *janapada*. How this sentiment was sought to be protected by the State law is shown by a clause in Kauṭilya's *Arthaśāstra* (III 18) prescribing a scale of fines for slandering one's *deśa* and *grāma*.

STATE POLICY TOWARDS FUNCTIONAL GROUPS

Another institution of the pre-Maurya Age which may be mentioned in this connexion is that of groups bound neither by ties of kinship nor of residence in the same area but joined together by economic or political association or, in short, functional groups. Such are the units *śreṇī*, *pūga* and *vrāta* as well as particular varieties of the genus *saṁgha* or *gaṇa*. Now the *śreṇī* is a well-known institution in the early Buddhist literature and has been shown to correspond to the craft-guilds of medieval Europe. The *saṁgha* and the *gaṇa* are used in the records of this period both in a generic and in a specific sense. We are here concerned with the species of economic and political associations called by these names. The State policy towards these groups seems to be marked by a striking contrast in the advanced systems of administration. The *Dharmasūtras* contain clauses of law for protection of the property of the *gaṇa* and for the observance of the *gaṇa* rules by the members. We have, for instance, the remarkable clause of law in Vishṇu (VI 76–8) prescribing the severe penalty of banishment for one who steals the property of a *gaṇa* (*gaṇa-dravya*) and for one who violates its established rule (*samvit*). By contrast the tendency in the *Arthaśāstra* is to exploit the property as well as the strong organization of the *saṁgha* in the interest of the security of the State. Thus we are told how the king's agents should plunder the *saṁgha's* property on a suitable pretext in a grave financial emergency (V 2). Licence is given even to a needy prince under duress to plunder the *saṁgha's* property (I 18). What is more, a whole chapter (XI 1) is devoted to the policy of bringing *saṁghas* under the king's control, chiefly by employment of the weapons of dissension and force. The complete control that was acquired by the State over the *śreṇīs* is indicated by the fact that their chiefs (*śreṇīmukhyas*) are assigned a regular place in the king's Civil List (V 3) and are employed for secret service in the enemy's kingdom.[28]

II. SECURITY AND PROGRESS OF THE STATE

We now turn to the second aspect of the pre-Mauryan administration, that relating to the security and progress of the State, with which is closely associated the question of the personal safety of the king. The security of both the king and the kingdom during this period appears to have been threatened by internal as well as external dangers. In the first place the extensive domestic establishments of kings gave rise to the danger of the throne being usurped by ambitious princes and even of the assassination of kings at the instigation of faithless queens. The danger from princes is vividly illustrated by a passage of Kauṭilya's work, which compares them with crabs noted for their tendency to eat their begetter. Kauṭilya, again, gives us in the same context lists of kings, who were poisoned by their queens according to traditional history. What is more, we have historical examples of the deposition or even murder of kings (e.g. Prasenajit of Kośala and Bimbisāra of Magadha) by their ambitious sons. In the second place, the creation of a bureaucracy, which was one of the great achievements of the period, carried with it the danger of disaffection among the high officials. We have the historical example of the desertion of Prasenajit by his minister mentioned in a Buddhist Sanskrit canonical text. In the third place, the rise of a State system consisting of allies, hostiles and even neutrals, which is one of the distinctive characteristics of this Age, was attended with equal dangers to the security of the State. Not only were the weaker States threatened with extinction by the struggle for power among the more powerful States, but the way was opened for creation of a network of inter-State espionage. Fourthly and lastly, problems of internal security were raised by the rise of disaffected individuals (*dūshyas*) and the plundering habits of the foresters (*āṭavikas*).[29]

Let us attempt a description of the measures sought for adoption by the State for the purpose of its security and progress. Reference is made in the *Jātaka* stories to the measures for prevention of one most obvious danger to the security of the king and the State, namely, that arising from the unscrupulous ambition of the princes. We are told repeatedly in the *Jātakas* how kings rightly or wrongly suspecting the loyalty of their grown-up sons banished them from the kingdom, or else threw them into prison during their life-time.[30] The most complete account of measures for protecting the interest of the State and the king is found in Kauṭilya's *Arthaśāstra*. We may classify these measures under two heads :

(*a*) *Measures for ensuring the internal and external security of the State* ;

(*b*) *Measures for promoting the internal consolidation and external progress of the State.*

MEASURES FOR ENSURING THE INTERNAL AND EXTERNAL SECURITY OF THE STATE

(1) Measures for the king's personal safety. Even before Kauṭilya's time the authors of the *Arthaśāstra* discussed the measures for ensuring the king's personal safety against the princes of his own household. Kauṭilya's own view is that the prince should be given ante-natal and post-natal care, that his sacrament should be performed after birth by the royal chaplain, that when come of age, he should be trained by experts, and lastly, that while a prince without affection for his father may be imprisoned or banished, 'a self-controlled prince' should be appointed to the post of General or Crown Prince. Kauṭilya's policy statement is completed in two later chapters (I 20–1) where he shows in detail how the king should guard himself against the danger of poisoning, and further against that of assassination while visiting his queen or appearing in public on various occasions.

(2) Invigilation and pacification of officials. Kauṭilya describes in detail in one place (I 12) how spies of various categories are to be set upon eighteen top-ranking officials for the detection of their domestic as well as public behaviour. Evidently it was held by the author that the officials required intensive surveillance inspite of all the care required for their selection (see above s.v. *Recruitment and selection of officials*). In another context (IX 3) Kauṭilya describes the punitive measures which should be adopted for

combating the disaffection of the officials. The penalties range from death, exile or imprisonment of the highest officials down to the application of various measures of dissension and force against officials of lower rank.

(3) Setting in motion a ring of spies and launching mass propaganda for guarding the king's own subjects against the enemy's intrigues and seducing the subjects of his enemy. Within the kingdom, we read (*KA* I 13), arrangements should be made for collective disputations of spies in various public places so that while one spy should question the king's right to the obedience of his subjects, another should silence the lowly folk by narrating the story of the king's origin in primitive times and his quasi-divine functions. Espionage should likewise be employed on a countrywide scale in both the urban and the rural areas. After the spies had ascertained the sentiments of groups closely connected with the king, he should apply towards the groups the four traditional expedients: he should honour those who are contented and should apply successively the arts of conciliation, bribery, dissension and force against those who are disaffected. Illustrating the last expedient the author says that the king should offer the culprits as victims to popular wrath after appointing them to unpopular offices, that he should kill them in secret, or that he should engage them in compulsory labour in mines after taking their sons and wives as hostages. Simultaneously spy rings are to be set up in the four types of States comprised within the king's State-system classified as allies, enemies, neutrals and intermediaries: the espionage should apply to their eighteen top-ranking officials and should extend over their rural, urban and forest areas: loyal district officers (*rāshṭramukhyas*) are to be settled on the borders of the kingdom for espionage on the enemy's agents. Above all, secret propaganda is to be carried on by the king's agents for winning over the enemy's subjects. These are classified under four heads according as they are moved against their king by one or other of four passions, namely, anger, fear, greed and pride. The author shows by practical examples how these groups are to be won over severally by spies appealing to their master passion. The king, we read in conclusion, should win over the disaffected group of the enemy's subjects through conciliation and bribery, while the contented group should be won over through dissension and force as well as through propaganda against their master.

(4) Suppression of enemies of the State (*dūshyas*). The king, says Kauṭilya (V 1), should apply against the chief officers who defy his authority or are in alliance with the enemy the weapons of espionage and diplomacy. This involves in practice the treacherous murder of the offenders by the application of the methods of unscrupulous statecraft. The righteously minded king, we are further told, in the same context, may secretly put to death those courtiers who are injuring the interest of the kingdom and who, though deserving death, cannot be put down openly. Thus shall the State, the author sums up, be safe from all dangers arising from (evil) men and shall devolve upon the king's sons and grandsons.[31]

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MEASURES FOR SECURING INTERNAL CONSOLIDATION AND EXTERNAL PROGRESS OF THE STATE

It is characteristic of the dynamic spirit of the Kauṭilyan State that it not only provides for its internal and external security, but also seeks to ensure its consolidation at home and its progress abroad. This distinctive aspect of the Kauṭilyan policy may be illustrated by a number of examples.

1. State colonization of waste lands — a topic which is held to be sufficiently important to mark the opening of Kauṭilya's section on the working of State officials. This comprises the two-fold programme of the multipurpose development of the rural area and the planned settlement of the urban area. How the rural area was required to be developed in such a way as to provide for the utmost exploitation of its agricultural, industrial and mineral resources as well as the needs of its military defence and its local administration has been told in other chapters of this work. (See Chapters IV, V, VIII and IX.) The settlement of the urban area was planned to meet the requirements of a composite residential population and a highly centralized administration as well as the advanced strategy and tactics of warfare. We give below an outline of the Kauṭilyan scheme. A chain of forts was to be built along the frontiers of the kingdom. The central town in the midst of 800 villages, which was technically called *sthānīya*, was to be built on a site favoured by those versed in town-planning (*vāstuvids*) or on other advantageous sites. The *sthānīya* was to serve both financial and commercial purposes as a seat of the king's treasury and as a trade-mart: the fortifications of the city were to be planned on an elaborate scale so as to consist of a system of ditches, of ramparts of surrounding walls with covered patches, and of gateways and so forth. (See Chapters IV and VII.) In the second place, the capital city was to be built on an elaborate plan. The skeleton was provided by a triple chain of high streets (*rājamārgas* or royal roads) in both the axial directions from north to south and east to west as well as by a chain of feeder roads (*rathyas*) with proportionately diminishing width for serving different kinds of passengers and other traffic. The royal palace was to be constructed on the best site. Around it as a focal point were to be constructed the residential, official and business quarters. Sites were to be similarly located for the gardens, for the royal herds and studs, for the temples, for the cremation grounds and for the residence of the out-castes. (See Chapter IX.)

2. Acquisition of dominion over *saṁghas* or military and political association. This is justified by the argument that the *saṁghas* constitute the king's greatest assets surpassing his acquisition of ally or territory. Explaining this policy in great detail Kauṭilya shows how while the expedients of conciliation and bribery are to be employed towards well-disposed *saṁghas*, the disaffected *saṁghas* are to be controlled by recourse to the arts of dissension and force in ways elaborated by the author. The whole policy is designed in the author's words to win sole rulership over the *saṁghas* for the king.

3. Gearing of foreign policy to the fundamental objective of Progress (*vṛiddhi*), which is explained to mean the king's promotion of his own interest at the expense of his enemy as well as the invigoration of his own military and political position to the enemy's detriment. Thus the author discusses from the point of view of the *vijigīshu* the relative advantages of different types of treaties having for their objectives the acquisition of lands, mines and trade-routes. Equally characteristic is the author's view of the goal of inter-State relations. The Aggressor, we read, is to make himself the focal point of the State-system around which are to be grouped his enemies and his allies on a set pattern. The objective of foreign policy, we are further told, is progressive advance from a condition of Decline to that of Equilibrium and thence to that of Progress. In the same spirit the author interprets the goal of inter-State relations in terms of 'a world-ruler' with the whole of the Indian subcontinent as the sphere of his influence, and of a world-conquest involving a king's acquisition of dominion over his neighbours on a diminishing scale corresponding to his progressively limited foreign connexion. (See *IPI* pp. 129–30 for a detailed explanation of the above.)

III. DEVELOPMENT OF THE BRAHMANICAL PATTERN-STATE

In the foregoing pages of this chapter we have dealt with two dominant aspects of political organization of the monarchic State in the advanced systems of this period. These have been described under the heads of *Public Security and Welfare* and *Security and Progress of the State*. The third dominant aspect which is likewise common to the *Dharmasūtra* and *Arthaśāstra* systems is concerned with organization of Society and the State after the orthodox Brahmanical pattern. The foundations of this pattern are laid in the late Vedic Age in the well-known institution of the four *varṇas* or castes with the Brāmaṇas occupying the foremost and the Śūdras along with the despised class occupying the lowest place in the social hierarchy. The Brahmanical pattern-State, as it may be called, attains its complete development in the *Dharmasūtras*, which systematize for the first time not only the rules relating to the duties and occupations of the four castes but also fix their rights or disabilities in the domain of law and polity. The influence of the *Dharmasūtras* is strongly felt in Kauṭilya's *Arthaśāstra* which otherwise is dominated by the aim of providing for the security and progress of the State. We may illustrate this statement by quoting two typical texts. The king, says Āpastamba, is to rule according to the direction of the Brāhmaṇas. According to a dictum of Kauṭilya (I 9) the temporal power, being advanced by the Brāhmaṇas and enforced as with a spell by consultations with ministers and endowed as with a weapon by the observance of canonical rules, becomes invincible and secures success.

We may summarize here some typical features of the Brahmanical pattern-State in the *Dharmasūtras* as well as in Kauṭilya's *Arthaśāstra*. In

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the first place the Brāhmaṇa is entitled to a number of immunities and privileges. To quote the neat summary in Gautama (VIII 12–13), the Brāhmaṇa is to enjoy immunity in six matters; he should not be beaten or whipped, he should not have fetters put on him, he should not be mulcted in money fines, driven out of the village or country, censured, or abandoned. The immunities and privileges of the Brāhmaṇas are amplified in other texts. The Brāhmaṇa, we are told, is to be immune from corporal punishment for any crime whatever, the punishments in lieu thereof being branding on the forehead with the distinctive marks for his crime, public proclamation of his guilt, banishment, or work in mines (IV 8). Again we are told (IV 11) that a Brāhmaṇa guilty of attempting to seize the king's throne or forcing entry into the king's harem or instigating his enemy, is to be thrown into a dungeon unlike offenders of other castes who are to be burnt alive. In the second place the immunity of the Brāhmaṇa's property is enforced by legal clauses. The Brāhmaṇa is not to lose his ownership by ten years' adverse possession of his property : his property is not to escheat to the Crown for failure of heirs : he is not to lose ownership for not claiming his property for one year : he is entitled to own any treasure-trove found by him in full. In the third place the immunity of the Brāhmaṇa's person and property is enforced in the *Dharmasūtras*, characteristically enough, by a series of social sanctions and penances. The murderer of a Brāhmaṇa and the thief stealing his gold are included in the list of out-castes according to some authorities (Gaut. XXI 1–3) and their acts are included in a list of *mahāpātakas* or Great Sins by others (Vas. II 19–21, Baudh. II 1.50–56, Vish. XXXV 1). Severe penances are prescribed for murder of a Brāhmaṇa or even for causing harm to him or angering him (Baudh. II 1.1.7, Gaut. XXII 2f, Baudh. II 1.1.2f, Āpast. I 9.25.11–12). The act of threatening a Brāhmaṇa with assault prevents entry into heaven for a hundred years, says Gautama (XXI 20–2). In the fourth place the learned Brāhmaṇa, according to some *Dharmasūtra* texts (Āpast. II 10.26.10, Vas. XIX 23), and all Brāhmaṇas, according to other texts (Vas. I 42–43, Vish. III 36), are exempted from taxation. What is more, certain categories of Brāhmaṇas, according to these authorities, are entitled to State relief and maintenance. Similar clauses are found in Kauṭilya's *Arthaśāstra*.[32] Even though involved in financial distress the king, says the author (V 2), should spare the property of the *śrotriyas*: the imposition of charges at military stations and at ferries upon Brāhmaṇas is visited with fines, and Brāhmaṇas are exempted from payment of customs duties as well as from the salt-tax: the debts owed to the king and the *śrotriya* take precedence over all other debts. The *purohita* or the king's domestic chaplain, the *ṛitvik* or the priest officiating at the sacrifices and the *āchārya* or the king's preceptor are included in the first grade of officers in the king's Civil List (V 3). At the time of colonization of the waste lands revenue-free and perpetual endowments of lands are to be made in favour of some categories of Brāhmaṇas.

In contrast with the immunities and privileges of the Brāhmaṇas in the *Dharmasūtras* and the *Arthaśāstra*, the Śūdras and still more the out-castes are subjected to grievous disabilities.[33] The segregation of castes is illustrated forcibly in Kauṭilya's work by the different quarters assigned to the four upper classes within the limits of the city, and still more by the relegation of the Chaṇḍālas or out-castes outside, in the vicinity of the cremation grounds (II 4). Under the titles of State law called 'Defamation' and 'Assault' an ascending scale of penalties is prescribed for offences by the lower castes against the higher ones and a descending scale is laid down for offences vice versa (Gaut. XII 1. 8–13, Vas. XXI 1–5, Baudh. I 10. 20–21). Similar discriminatory clauses occur in the *Arthaśāstra* under the titles of law called 'Defamation', 'Assault' and 'Miscellaneous' (III 18, 19 and 20). These are repeated in the body of special laws punishable with mutilation of limbs and of death with or without torture as well as those relating to the violation of the established order (IV 10, 11 and 13). The principle of discrimination is extended in the *Dharmasūtras* to the branch of religious law as well as to the law of penances.

The pattern-State described in the *Dharmasūtra* texts quoted above was prevented from being pushed to an extreme limit by two factors. In the first place the authors prescribed a high moral and religious standard for the Brāhmaṇa. This led them to denounce unworthy members of this class, who were placed on an equal level with Śūdras.[34] Secondly, the pre-Maurya Age inherited the old Vedic tradition of a privileged Aryan community in contrast with the aboriginal *dasyus* or *dāsas*. This tradition left its impact on the law and polity of the *Dharmasūtras*, although its connotation was understood by them in slightly different senses.[35] In the *Dharmasūtras* not only are the conventions (*samayas*) and precepts (*vidhis*) of *Āryas* recognized as secondary authorities for the law of the social order, but the *Ārya* public opinion is held to be the standard of individual behaviour.[36] In Kauṭilya the *Arya* standards of life are often applied to the branches of State law and the general administration.[37] The sentiment of the *Ārya* standard is sufficiently strong to be used by Kauṭilya for the purpose of propaganda.[38] Above all, Kauṭilya, as we have seen, lays down special clauses of law for the relief of slaves belonging to classes who live by Aryan ways.

SECTARIAN ASPECTS OF THE MONARCHIC STATES

We may now turn to an important feature of the Brāhmaṇa pattern-State in the *Dharmasūtras* and *Arthaśāstra*, namely, its strong sectarian bias. This was due to the rise of new unorthodox sects (such as those founded by Gautama Buddha and by Mahāvīra) which are marked by different codes of doctrine and discipline and which favoured a new social structure. In a spirit of reaction against the tendencies of the new sects, the canonists as well as the exponents of the science of polity adopted a deliberate policy of State patronage of Brahmanical orthodoxy. Thus the *Dharmasūtras* provide for the performance of Vedic sacrificial ceremonies (including the charms and incantations of the *Atharvaveda*) on behalf of the king.[39] Similarly, Kauṭilya includes (V 3) the staff of the Vedic sacrificial priests in the king's Civil List.

Kauṭilya's programme for development of waste lands (II 1–2) includes the creation of endowments for the performance of Vedic sacrifices and for Vedic studies in the rural area as well as for the construction of Brahmanical temples within the limits of the metropolitan city (II 2 and 4). The temple properties are declared to be immune from taxation even during the king's financial emergency, while the death penalty is prescribed for theft of those properties (V 2 and IV 10). By contrast the king's agents are allowed by Kauṭilya to seize the property of heretics during a period of financial emergency on a suitable pretext, and even the prince under duress and in distress is given licence to plunder these (V 2 and I 18). At the time of the foundation of the metropolitan city the heretics along with the *Chaṇḍālas* are required to live outside its limits near the cremation grounds (II 4). Even the invitation to heretics (Śākyas, Ājīvikas and the like) at the ceremonies in honour of gods and manes is visited with a fine (III 10).

The high moral and religious standards prescribed for the Brāhmaṇas in the *Dharmasūtras* must have constituted in the final analysis their strongest title to the immunities and privileges claimed for them in those works. That these standards were often maintained in actual life is indicated by the *Jātaka* stories. Frequently in these stories we are told how Brāhmaṇas in the flower of their age renounced the world and adopted the ascetic life, or else how they adopted the occupation of teachers with a large following of disciples. We have even stories of Brāhmaṇas voluntarily putting themselves to the test to prove that they based their superior claims not upon birth but upon merit.[40] The *Jātaka* stories further prove that the legends of destruction of kings for insulting Brāhmaṇas were so popular that they were used by the Buddhist canonists for inculcating their own ethical teachings.[41] Nevertheless, the pre-Maurya period was marked by a strong reaction against the Brahmanical social pattern. The social structure described in the Buddhist and the Jaina sources differs in one fundamental aspect from that of the *Dharmasūtras*. This relates to the pre-eminence of the Kshatriyas (instead of the Brāhmaṇas) in the social scale. From references in the early Buddhist and Jaina literature we know that this type of social structure prevailed in the kingdoms and republics of eastern India.[42] It speaks much for the liberal spirit of the early Buddhist canonists that they insisted upon the honourable treatment of the Brāhmaṇas along with the *Śramaṇas* or non-orthodox monks.[43] On the other hand they distinguished themselves by a strong condemnation of the Brāhmaṇa canonists' view of caste distinctions founded on stories of Divine creation of the world. Indications of this reaction in branches of law and polity are occasionally found in the early Buddhist literature.[44]

CHAPTER IV

NOTES

[1] For a fuller account of the trends of the Vedic political organization, see *HPL* pp. 41–2, 116.

[2] Cf. *Jāt.* No. 477, p. 220; No. 531, p. 297, (capture of slaves by brigands).

[3] For refs. to the doctrine of *ahiṁsā* in the Vedic *Saṁhitās* and the *Brāhmaṇas* and the older Upanishads see Kane, *H of D*, Vol. II, Part II, s.v. *Flesh-eating*, pp. 277ff.

General refs. to animal-slaughter in the Jātakas: (a) No. 347, p. 146 (popular custom of killing multitude of goats, sheep and the like for *balikamma* or worship of the deities: king's proclamation of prohibition of animal slaughter by beat of drum and angry *yakkha's* attempt to slay the king who is protected by the god Sakka); (b) No. 459, p. 115 (ban on slaughter of animals in a village by a *gāmabhojaka* and its withdrawal at the popular demand on the occasion of an offering to the deities); (c) No. 534, pp. 356–7 (a king digs a tank and proclaims it as a sanctuary for birds for the purpose of entrapping and capturing a goose-king); (d) No. 541, p. 111 (sufferings in hell for killing animals at a slaughter-house); (e) ibid. pp. 210–11 (censure on Brahmanical practice of slaughter of animals).

For a complete list of refs. see *Jāt. Index* s.v. *Animal not to be killed or injured.*

Jāt. refs. to State protection of animal life: (a) No. 12, p. 153 (a king grants immunity to birds as well as to beasts at the intervention of a deer-king); (b) No. 50, p. 260 (a king on ascending the throne stops the practice of wholesale slaughter of living creatures at popular festivals by the ruse of public proclamation of his intention of sacrificing one thousand of those who are addicted to five sins or who walk in the ten paths of unrighteousness); (c) No. 347, p. 146 (current practice of slaughter of animals as religious offerings to the *yakkhas* or demi-gods and a new king's proclamation by beat of drum forbidding slaughter of any living creature); (d) No. 482, p. 262 (a king proclaims immunity of all creatures within the city so that no one thenceforth dare so much as raise a hand against beast or bird). For ref. to withdrawal of ban on animal-slaughter because of insistent popular demand cf. *Jāt.* No. 459, p. 115.

[4] *King's protection of property of minors etc.*: (a) Gaut. x 48 (king to protect property of infants until they attain their majority or complete their studies); (b) Vas. XVI 7–9 (king to protect property of persons of royal stock and of persons unfit to transact legal business: king to make over property to a minor when he comes of age); (c) Vish. III 65 (king to protect property of infants, of helpless persons and of women).

King's protection of ownerless property: (a) Vas. XVI 19–20 (king with his *mantrīs* and the *nāgaras* or citizens to administer property not entirely given up by the owner); (b) Baudh. I 10.18.16 (king to guard during a year property of non-Brāhmaṇas of which the owner has disappeared).

[5] *Fire-relief measures in KA*: Villagers in summer season required to carry on cooking operations outside their residences or else as directed by the officer (meaning evidently the *gopa* in charge of ten families): townsmen required to abide by municipal regulations for prevention of outbreak of fire (see Chapter IX s.v. *Town administration*). *Flood relief measures*: Villagers living in watery tracts required to leave the banks of rivers and take up residence elsewhere, and likewise to keep ready for use boats, planks and bamboos. *Relief against diseases and epidemics*: Physicians directed to treat patients with their medicines: domestic animals during an epidemic required to be removed to another and a safer spot. *Famine-relief measures*: Seeds and provisions to be distributed, relief works to be opened: gratuitous relief to be given, the afflicted people to be taken to an area rich in crops and to be rehabilitated on the sea-shore, or on the banks of rivers and lakes, to be assisted to grow food-grains and to collect birds, beasts and fish for food. *Relief against pests*: Rats to be destroyed by letting loose cats and mongooses and to be given food-grains mixed with poison: wild animals to be destroyed by placing before them the bait of poisoned carcases or by trapping and killing them through the agency of hunters and out-castes: snakes to be destroyed at sight by the people gathered together.

[6] *Jāt. stories of famine-relief by king*: (a) No. 276, pp. 368–71, 381 (when famine overtakes Kaliṅga kingdom, the king in accordance with the custom of former kings gives alms, keeps the holy day, takes vow of virtue and lies down on a grass pellet for

seven days : on failure of this attempt the king solicits the gift of a State elephant from the Kuru king renowned for his righteousness : the last and the successful attempt is made by the king's practice of 'the Kuru code of righteousness') ; (b) No. 526, pp. 193–201 (rain is stopped for three years in the kingdom of Kāśi by the god Sakka with a view to breaking down the virtue of an ascetic which threatens his own sovereignty : king's vain attempt to relieve famine by taking moral vows and fasting : Sakka's midnight appearance at the royal chamber and successful charge to the king to send down his beautiful daughter to seduce the ascetic : profuse rainfall caused by Sakka thereafter).

[7] *Jāt.* refs. : (a) No. 51, p. 262 ; No. 193, p. 118 ; No. 276, p. 367 ; No. 415 p. 414 ; No. 468, p. 176 ; No. 494, p. 355 ; No. 547, p. 484 (stories of six *dānaśalās* built by kings and queens at each of the four city-gates, one in the middle of the city and one at the palace-gate) ; (b) No. 541, p. 96 (five *dānaśalās* built by king at each of the four city-gates and one in its middle) ; (c) No. 424, p. 470 (a good king's *dānaśalās*). Cf, No. 453, pp. 72, 74 (royal rest-house).

[8] Cf. No. 483, p. 269 (king's proclamation by beat of drum that all inhabitants of the city are to observe the five *śīlas* or commandments).

[9] The evidence adduced above from the *Dharmasūtras* and early Buddhist literature, not to speak of the data of Kauṭilya's *Arthaśāstra* (which, according to our view belong to the pre-Maurya period) tends to disprove the statement (Radha Kamal Mookerjee, *The Culture and Art of India*, p. 92) that the Maurya Empire under Chandragupta and Aśoka was the world's first great secular welfare State and that the idea of the State as the guardian of the moral life and happiness of the people arose with the Mauryas.

[10] *Refs. to insecurity of subjects' lives*: (a) *Mūlasarvāstivāda-Vinaya*, Gilgit MSS and *Jāt.* No. 465, p. 150 (Bandhula the *senāpati* or General placed by King Prasenajit in charge of the court because of his just judgments, but thereafter assassinated by the king's order because of unjust suspicions created against him by the dishonest and corrupt officials) ; (b) ibid. Vol. III, Part II, pp. 4–6 (Khaṇḍa, the honest Chief Minister of the king of Videha, forced to fly for safety to Vaiśālī as the other ministers had poisoned the king's ear against him) ; (c) ibid. pp. 72–3 (32 sons of lady Viśākhā who had just done the king the great service of quelling a local insurrection poisoned by the king's order at a treacherous invitation to a feast because the villainous *purohita* had poisoned the king's ears against them) ; (d) *Jāt.* No. 220, pp. 186–95 (a king who had just rewarded his *purohita* with the office of a judge for reversing the unjust judgment of a dishonest *senāpati* is persuaded by the same *senāpati* that the *purohita* was attempting to seize the throne : the king being advised by the *senāpati* repeatedly imposes impossible duties upon the *purohita* on pain of forfeiting his life : after the *purohita* had succeeded each time in the task because of Sakka's intervention, he is completely vindicated and the wicked *senāpati* is killed by the multitude). (e) *Jāt.* No. 443, p. 24 (a king casting lustful eyes upon the beautiful and virtuous wife of a Brāhmaṇa ascetic carries her off by force of his sovereign authority amid the woman's lamentation that 'lawlessness and wrong are the world's way' : in the sequel the king being impressed by the woman's absolute indifference towards worldly honour and the ascetic's perfect control over anger sends the woman back to him) ; (f) *Jāt.* No. 528, pp. 229–46 (five corrupt *amachchas* of a king, losing their lucrative jobs because of public exposure by a pious ascetic, falsely accuse him of undue intimacy with the queen : the ascetic receiving a friendly warning takes his leave, but is persuaded by the king to promise that he will come back at some future time : wishing to prevent his return the guilty *amachchas* persuade the king to order summary execution of the innocent queen : the ascetic having returned after a time confounds the *amachchas* and convinces the king of their guilt). *Animal fables of king's high-handedness* : (a) *Jāt.* No. 22, pp. 175–8 (a king being told that dogs had gnawed the leather-work of his carriages issues a general order for the destruction of these creatures, which, however, does not apply to the palace dogs : in the end the king, being convinced of the guilt

of the palace dogs, issues a general order for the protection of all creatures); (b) *Jāt.* No. 140, pp. 484–6 (a king at the *purohita's* instigation orders a general slaughter of crows for fat: afterwards being convinced that the *purohita* had been prompted by revenge to tell a lie, he revokes the order and grants general immunity to all creatures).

[11] *Insecurity of property under kings*: (a) *AN* III 45, ibid. 259, IV 7, ibid. 282, *SN* I 89–90, *MV* I 86, *Jāt.* No. 390, p. 309 (stock list of danger of riches being seized by kings or thieves or an unwelcome heir or destroyed by fire or flood); (b) *SN* I 31–5 (stock list of danger of riches being seized by a king or a robber or destroyed by fire); (c) *Jāt.* No. 390, p. 309 (epigram about pillage of wealth by kings, robbers and unwelcome heirs). *For the king's control over gifts* cf. *Jāt.* No. 535, pp. 383, 392–3 (millionaires about to give away their wealth first offer it to the king and on the king's refusal distribute it among the multitude).

[12] *King's evil characteristics*: (a) *Jāt.* No. 536, p. 450 (king included in list of four persons who are never satisfied: the king who has acquired even the whole earth, with its seas, mountains and treasures, yet sighs for the world beyond the seas); (b) No. 402, p. 342 (king included in a list of sixteen things not satisfied: king is not satisfied with his kingdom); (c) No. 533, p. 427 (warning given to a deer-king by a huntsman that kings are cruel); (d) No. 534, p. 365 (warning by a huntsman to a goose-king that kings verily are dangerous); (e) No. 477, p. 222 (warning by an ascetic to his son against poison, precipices, mud and snakes, identified respectively with liquor, women, worldly honour and kings). To the above we may add a maxim which is sufficiently popular to be quoted several times in the form of a *gāthā* in a number of stories. The maxim which brackets together as dishonest persons an ascetic of unbridled lust, a king acting inconsiderately and a sage in anger, is put into the mouth of a judicial officer (*vinichchayāmachcha*) reproving a king for hastily judging a case (No. 332, p. 105), of a king rebuking a usurper of his kingdom (No. 351, p. 154), of an ascetic rebuking a king for hastily ordering a fellow ascetic's execution (No. 444, p. 30), of a prince reproving his father for a capital sentence hastily passed against him (No. 505, p. 451), and of a sage rebuking a king for past ill-treatment (No. 546, p. 375).

[13] In the passage above cited the Buddha after quoting a stock list of dangers, (namely, danger from kings, thieves, fire, water, human beings, non-human beings, beasts of prey, and from creeping things) says: 'I allow you, monks, when there are dangers such as these, to recite the *Pātimokkha* in brief; in full if there is no danger.'

[14] *Dharmasūtra* rules for hermits: Gaut. III 26ff, Vas. VI 19–20, Āpast. II 9.21.19–20, ibid. 9.22, 1–24, ibid. 9.25. 1–2, Baudh, II 6.11. 14–15, ibid. III 3. 1–22, Vish. XCIV–XCV. On the rules for ascetics in the *Dharmasūtras* see Gaut. III 21–5, Āpast. II 9.21. 7–17, Vas. VI 19–20, ibid. X 1–29, Baudh. II 10.18. 1–27, Vish. XLVI.

[15] Select refs. to adoption of ascetic life in *Jātakas*: (a) No. 171, p. 66 (rich *seṭṭhi's* son, taking the people's greeting as auspicious, decides to become an ascetic); (b) No. 201, pp. 139–40 (poor man renounces the world in disgust after deserting his wife with one minor child); (c) No. 250, p. 269 (young Brāhmaṇa on death of wife takes minor son with him and leaves for Himalayas to become ascetic); (d) No. 253, p. 283 (two brothers, sons of a rich Brāhmaṇa, are so grieved at their parents' death that they become ascetics); (e) No. 259, p. 315 (young Brāhmaṇa after marriage is so distressed by death of his parents that he becomes an ascetic); (f) No. 460, pp. 120–2 (a prince on seeing dew-drops in the morning and their disappearance in the evening is led to meditate on impermanence of things and renounces the world); (g) No. 472, p. 194 (a virtuous prince after miraculous escape from death to be inflicted by king's unjust judgment embraces ascetic life); (h) No. 425, pp. 476–7 (a rich merchant, being shamefully treated by a courtesan in his keeping, becomes an ascetic and persists in his resolution inspite of earnest appeal by the latter).

[16] (a) No. 417, p. 424 (old mother driven out of the family by her son at instigation of her wicked daughter-in-law; in the end they are reconciled by intervention of god Sakka); (b) No. 446, pp. 45–50 (son, at instigation of his wicked wife, takes out father

on a pretext beyond the village and makes ready to bury the latter in a pit, but is foiled by his own grandson).

[17] Quoted from Mehta, *Pre-Buddhist India*, p. 355. Cf. *PTS Dict.* s.v. *Chaṇa*. For other popular festivals cf. No. 479, p. 229 (Bo-festival and elephant-festival). See also the following note.

[18] Cf. *Jāt.* No. 459, pp. 115–116 (*gāmabhojaka's* order prohibiting sale of strong drink is withdrawn on occasion of time-honoured drinking festival at popular demand). For other refs. to drinking festival cf. No. 81, p. 362 and No. 142, p. 489.

[19] Cf. (a) Pāṇ. II 4.25, III 1.100, VI 2–7 (varieties of liquors under the names *surā*, *madya* and *maireya*) ; (b) ibid. IV 3.76, V 2.11.2 (terms for distilleries, vintners and drinking booths) ; (c) *KA* II 25 (six varieties of *surā* with technical details of their preparation, the ingredients of *kiṇva* or ferment, and practice of unrestricted drinking during popular festivals).

[20] Refs. (a) Āpast. I 7.21.3, Vas. I 20, Vish. I 20, XXXV 2 (drinking of *surā* or *madya* included among the *mahāpātakas* or Great Sins); (b) Gaut. XXI 1 (drinking *surā* makes one an out-caste) ; (c) Gaut. XXIII 1, Vas. XX 22, Āpast. I 9.25.3 (penance of suicide for intentionally and repeatedly drinking *surā*) ; (d) Vas. XX 19, Vish. LI 2 (*kṛichchhra* penance for the three upper castes drinking *surā* unintentionally). The *Dharmasūtra* rules on this point are summed up in the complete ban on intoxicating drinks and on drinking ten kinds of *madyas* imposed on Brāhmaṇas while allowing exemption to Kshatriyas and Vaiśyas (Gaut. II 25, Āpast. I 5.17.31, Vish. XXII 83–5). For a complete description of the *kṛichchhra* penance after Gaut. see Kane, *H of D*, Vol. IV, pp. 132–3. According to the shorter definition in Baudh. II 1.2.38 it consists in eating meals during three days in the morning only, during the next three days in the evening only, subsisting during another three days on food given unasked, and fasting during the next three days.

[21] No. 537, pp. 466–7 (a young Brāhmaṇa is rebuked by his father for drinking *surā* as unbecoming one born in a family of *śrotriyas* : on his refusal to give up his habit he is turned out of the house by the father).

[22] Cf. (a) *Jāt.* No. 360, pp. 187ff (story of king's playing dice with a *garuḍa* king) ; (b) No. 545 pp. 280ff (story of king's playing dice with a *yakkha*).

[23] For refs. see Vish. V 134-5, Āpast. II 10, 25, 12–13.

[24] The above is based on Chap. XIV, pp. 462ff of the author's work *SIHC*. Some important refs. are given below : (a) *Vin.* Vol. IV, p. 224 (three types of slaves) ; (b) *Niddesa* I 2, *Jāt.* No. 545, p. 285 (four types of slaves) ; (c) *Jāt.* No. 259, p. 452 ; No. 541 p. 117 (slave born in the master's house) ; (d) *Jāt.* No. 402, p. 343 (purchase of slaves) ; (e) No. 477, p. 220 ; No. 531, p. 297 (persons captured and enslaved by robbers) ; (f) No. 542, pp. 135, 138 (slavery craved from king by a prince and others through fear of being offered as victims at sacrifice) ; (g) No. 41, p. 241 ; No. 546 p. 389 (slavery by way of punishment) ; (h) No. 544, p. 220 (slavery by capture in war).

[25] *Restrictions on traffic in slaves* (*KA* III 13) : Relations and outsiders selling or pledging a minor of the four castes living by Aryan ways (*āryaprāṇa*) as well as purchasers, pledgers and witnesses participating in the act to be liable to various penalties (the solitary exception being made in the case of one who is a slave by choice under pressure of hunger). Cf. ibid. III 10 stating that an *āryaprāṇa* is exempted from operation of the current rules of warfare entitling a person to own with the king's permission whatever he has gained from the enemy's country. *Legal protection of slaves against maltreatment* (*KA* III 13) : Chastisement or improper treatment of a female slave is to be visited with forfeiture of the deposit money or even with release of the injured party from servitude : forcible connexion with a pledged nurse is to be punished with fine : the penalty for committing the same offence with a pledged maiden is forfeiture of the deposit money as well as payment of her marriage-portion (*śulka*) and of double this amount as fine to the king : violation of a slave woman by a town watchman at night-time is punishable with a fine : connexion with the free maiden daughter of a male or

female slave as well as with a female slave after payment of her ransom is to be punished with a fine and with payment of ornaments as well as of the marriage dowry or of clothes as the case might be : a man selling or pledging abroad certain types of minor slaves without relations for the purpose of making them perform mean work, as well as one selling or pledging a pregnant female slave without providing for her treatment is punishable with the first amercement, the purchaser as well as the abettor in this last instance being liable to the same penalty.

Property rights of slaves (*KA* III 13) : The self-sold slave along with the slave for subsistence and the pledged slave is to retain what he earns without prejudice to his master's work and even inherits his paternal property.

Emancipation of slaves (*KA* III 13) : An *Ārya* who has been pledged at the time of family calamity must be redeemed as soon as money can be found for his ransom : the self-sold slave along with the slave for subsistence shall regain his Aryan status on payment of a ransom : the son of an *Ārya* selling himself into slavery remains an *Ārya*, and the slave himself is entitled to get back his *Ārya* status : he who has been made a slave for non-payment of a fine may redeem himself by performance of a work : an *Ārya* who has been taken captive in war is released by performance of equivalent work or by payment of half of his ransom : one neglecting to allow a slave to gain his *Ārya* status even after payment of a suitable ransom is liable to a fine.

[26] This is the view of Dr. Radha Kamal Mookerjee, *The Culture and Art of India*, p. 94.

[27] In a recently published monograph (Dr. D. R. Chamana, *Slavery in Ancient India*, pp. 33, 40, 44) we are told that the system of group-slavery which prevailed under the rule of the aristocratic republics was replaced by individual slavery after their downfall. In the aristocracies, it is argued by the author, the slaves were entirely excluded from the army which was monopolized by the nobles, and they were charged with agricultural work. But after the downfall of the republics the ranks of the army were thrown open even to the slaves, while free labourers along with slaves were employed by the rich landholders for the cultivation of their lands. This argument does not appear to be convincing. For the examples quoted by the author do not exclude the employment of free agricultural labourers along with the slaves under the republics, while the evidence for the admission of slaves into the army under the monarchies is quite insufficient.

[28] For a complete discussion of the significance of the terms *śreṇī*, *pūga* and *vrāta* after the later sources see Kane, *H of D*, Vol. II, Pt. II, pp. 67–8. The suggestion (Agrawala, op. cit., p. 436) that Pāṇini's *śreṇī*, *pūga* and *vrāta* were 'elementary forms of democratic institutions' existing among the *āyudhajīvi-saṁghas* is highly speculative and improbable. The significance of *saṁgha* and *gaṇa* is discussed in *SIHC* pp. 361–4.

[29] For further discussion of above types see Chaps. II, III and XI.

[30] On refs. to banishment or imprisonment of princes, see Chap. IV.

[31] For another ref. *vide KA* V 2 where in the context of his description of the measures to be adopted by the king in raising revenue during an emergency the author shows by concrete examples how *dushyas* are to be hauled up on trumped up charges of assault on chaste women, murder, theft and treason against the king and are therefore to be punished with confiscation of their property.

[32] The view (Radha Kamal Mookerjee, *The Culture and Art of India*, p. 98) that Kauṭilya's *Arthaśāstra* stressed the withdrawal of the Brāhmaṇa's ancient immunity from criminal penalty and capital punishment is based upon the translation of the above quoted passage as 'a Brāhmaṇa guilty of high treason is liable to the death penalty by drowning'. This translation follows the wrong reading *tamapaḥ praveśayet* ('he should be drowned') in R. Shamasastri's edition, which has been corrected into the reading *tamaḥ praveśayet* in the later and more accurate edition of Ganapati Sastri.

[33] *Discriminations in religious law* : (a) Gaut. XVIII 12 (Vedic study to be stopped in presence of Śūdras) ; (b) Baudh. I 11.21.15 (Vedic study to be discontinued within

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sight or hearing of Śūdras and *apapātras* or out-castes). *Discriminations in law of penances*: Gaut. XXII 2–16, Āpast. I 9.24.10–25 and ibid. I 9.26.1–3 (diminishing scale of penances for murder of Brāhmaṇa, Kshatriya, Vaiśya and Śūdra). For penance of bath with clothes on for touching *Chaṇḍālas*, see Gaut. XIV 28. On the other hand we have the remarkable story (*Jāt.* No. 309, p. 30) of a king rewarding an intelligent Chaṇḍāla with the post of head of the town administration).

[34] Cf. (a) Vas. II 27 (Brāhmaṇa, by selling certain forbidden articles, becomes an out-caste or a Śūdra); (b) ibid. III 1 (Brāhmaṇas who neither study nor teach the Veda nor keep sacred fires are equal to Śūdras); (c) Baudh. I 5.10.24 (Brāhmaṇas who tend cattle or live by trade or are artisans, actors, servants or usurers are to be treated by the king as Śūdras). Vas. III 4 goes so far as to ask the king to punish a village inhabited by Brāhmaṇas who are negligent of their sacred duties and who do not study the Vedas.

[35] For different connotations of the term *Ārya vide* Gaut. X 69, XII 3; Āpast. I 3. 40–1, II 2.3.1 and 4 (*Āryas* distinguished from Śūdras), *KA* III 13 (*Āryas* distinguished from *mlechchas*), ibid. IV 13 (*Āryas* distinguished from Chaṇḍālas).

[36] (a) Vas. I 10–11, Baudh. I. 1.2.9 (customs of *Āryāvarta* or country of *Āryas* regarded as authoritative); (b) Āpast. I. 4.12. 8–12 (conventions and precepts of *Āryas* declared to be based upon *Brāhmaṇa* texts which are now lost and whose existence can be inferred from usage, but these are not authoritative when attributable to worldly motive or love of pleasure); (c) ibid. I 7.20.7 (whatever on being performed is praised by the *Āryas* is *dharma*, and whatever they blame is its reverse); (d) Āpast. I 7.20.8 and II 11.29. 13–14 ('one should regulate his course of action according to the *vṛitta* or conduct which is unanimously approved in all countries by *Āryas*, who have been well disciplined, who are aged, who have controlled their senses and who are not hypocrites').

[37] Thus Kauṭilya in his chapter (II 25) on the State working of liquor shops observes that the sale of liquors should be restricted in the interest of *Ārya* standards (*ārya-maryādā*), and that the dealers are to collect secret intelligence about their customers living by Aryan ways. Some examples of the above from *KA* are given below: (a) III 16: title of law called sale without ownership (an *āryaprāṇa* is exempted from operation of the rule or custom permitting enjoyment with the king's permission of whatever is brought by force from an enemy's country); (b) III 13: title of law of slavery (fines levied on an ascending scale for kinsmen who sell or pledge minors of *āryaprāṇa* stock belonging to the four castes); (c) III 20 (a Chaṇḍāla male touching an *Ārya* woman liable to a fine of 100 *paṇas*); (d) IV 9 (one violating an *Ārya* woman in lock-up punished with the highest amercement and the superintendent in charge guilty of the same offence punished with death); (e) IV 13 (a Chaṇḍāla guilty of illicit intercourse with an *Ārya* woman punished with death).

[38] While describing the measures for winning over the enemy's subjects, Kauṭilya (I 14) observes that the king's secret agents should win over those swayed by pride after contrasting the Chaṇḍāla-like nature of the enemy king with the *Ārya* nature of their own king. Again, while enumerating the measures for ensuring the king's security against his son, the author (I 17) says that low-born women in the guise of *Āryas* are to be employed for weaning away a vicious prince from sexual indulgence.

[39] Refs. (a) Gaut. XI 17 (*purohita* to perform in the fire of the palace-hall rites ensuring prosperity, which are connected with expiations, festivals, prosperous march, long life and auspiciousness as well as rites intended to cause enmity, to subdue enemies, to destroy them by incantations and to cause their misfortune); (b) Āpast. II 10.25.7 (daily oblations to be offered at the assembly-hall and the hall of invitation at the king's palace).

[40] Cf. *Jāt.* Nos. 440 and 443 (stories of Brāhmaṇas leading an exemplary holy life). Also cf. No. 86, pp. 370–1; No. 290, p. 429; No. 330, p. 100; No. 362, pp. 194–5 (similar stories of a *purohita* stealing a coin and when brought before the king on charge of theft admitting his crime so that he might prove the supreme value of virtue: *purohita's* admission followed by entering a religious life with the king's permission).

[41] Cf. *Jāt.* No. 454, pp. 87–9 (legend of destruction of Vasudeva, king of Dvārāvati, because of insult by his nephews to a famous Brāhmaṇa sage, who thereupon foretold the coming destruction of Vasudeva's line).

[42] A reference to the above revolution is preserved in a striking passage of *Lalitavistara* (p. 20, Lefmann's edition) stating the predominance of Kshatriyas in place of Brāhmaṇas as the distinctive feature of the Age of the Buddha.

[43] In *Jāt.* No. 391, pp. 304–7 (a king is so influenced by heretical views as to banish Brāhmaṇas as well as *Śramaṇas* from his kingdom, but afterwards he is led by contact with holy men of the faith to recant his views and recall the exiles. In No. 362, pp. 194–5, quoted above, the *purohita* admonished the king about the unreality of caste distinctions and the capacity of all castes to reach heaven by practising *dharma*).

[44] Cf. (a) *Jāt.* No. 66, p. 371 (a Brāhmaṇa is condemned to death on a charge of theft ; (b) No. 120, p. 439 (a *purohita* is similarly condemned by a king on a false charge of adultery with his queen).

CHAPTER V

THE MONARCHIC STATE—IV. ECONOMIC ORGANIZATION

WE have attempted to describe in the last chapter the organization of the central administration of the monarchic State of our period for such purposes as the promotion of public safety and welfare, the attainment of State security and progress and the maintenance of the social order after the orthodox Brahmanical standards. In the present chapter we propose to describe the State policy and programme (especially in the *Arthaśāstra* system) for the direction of the economic life of the community in all its branches.

Divisions of the subject:

A. Economic development of waste lands,

B. State agricultural, industrial and commercial policy,

C. State capitalism in the branches of State agricultural farms and branches, State forests and mines as well as State industrial concerns,

D. State control of weights and measures,

E. State regulation of currency and exchange.

A. ECONOMIC DEVELOPMENT OF WASTE LANDS

In the last chapter we have seen how one of the aspects of political organization in Kauṭilya's *Arthaśāstra* (II 1–4) is concerned with what may be called the multipurpose development of waste lands. We propose to describe here that part of this programme (II 1) which relates to exploitation of the agricultural and mineral resources as well as opening of facilities for industry and trade within the rural area. A chain of agricultural villages, to begin with, was to be founded at regular distances of one or two *krośas* (q.v.): the boundaries of the villages were to be clearly demarcated by natural marks (river, hill or forest) as well as by trees. The villages were to have a standard composition consisting of anything between one hundred and five hundred families mostly of Śūdra cultivators. The settlers were to be recruited by attracting the surplus population of the kingdom, or else immigrants from outside. The villages were to be grouped into units of ten and its multiples (two hundred, four hundred and eight hundred), of which the headquarters were called by appropriate technical terms (*saṁgrahaṇa*, *khārvatika*, *droṇamukha* and *sthānīya*). This grouping must have been meant mainly for administrative purposes (see Chapter IX s.v. *Local government*). But it also served the purpose of commerce. The *sthānīya* in particular is envisaged not only as a site of the king's treasury, but also as a trade-mart.

Agricultural loans and revenue remissions, we are further told, were to be granted to cultivators, the loans being repayable according to their convenience. The general policy on this point is that the loans and remissions were to be such as were likely to benefit and not harm the king's finances. Leases of prepared fields were to be granted to cultivators ('tax-payers') with occupancy rights for life, and those for unprepared fields were to endure without disturbance. Non-cultivation of the fields was punishable with cancellation of the lease and a compensatory fine. Embanked reservoirs (*setubandhas*) were to be constructed by the State and by individuals as well as co-operatives with State support. The lives of the cultivators were to be strictly regimented with the deliberate object of production of the maximum revenues and services for the State. At the same time proper steps were to be taken for the security of agriculture as well as the trade-routes. The farmers (literally 'householders') were to fix up the boundaries of their farms and warehouses. The farms were to be provided with flower gardens, fruit gardens and vegetable gardens, while the warehouses were to be stocked with grain and other merchandise with the prior permission of the State officials. Wells were to be dug for every ten *kulas*.[1] On the other hand the State was to retain its monopoly rights over the fisheries as well as the aquatic birds and plants in the embanked reservoirs.

Simultaneously with the development on the above lines, the rural area was to be exploited for the working of new and old mines, of pastures, of forests of economic products, of State workshops and of trade-routes and other pathways as well as for the foundation of trade-marts. Again, the economic afforestation of the barren area was to be taken in hand with extraordinary thoroughness. Ten types of forests of economic products were to be created under as many headings (namely, 'the timber group', 'the bamboo group', 'the plant group', 'the bark group', 'the fibre group', 'the group of medicinal plants', and even under the heads of extraction of base metals, of inorganic and organic poisons, of the remains of dead animals, and of bamboo and earthenware). To help the exploitation of forest products State workshops (*karmāntas*) were to be constructed and settlements of foresters were to be set up (see below, s.v. *State capitalism*).

In connexion with the present subject we may notice how the inter-State relations in Kauṭilya's work were partially shaped by the objective of economic development of the waste lands. Kauṭilya discusses in one place (VII 2) a type of treaty between two States marked by their common aim of developing waste lands. The discussion turns on the relative advantages of the areas purely depending upon rainfall and those possessing natural sources of water-supply, of areas rich in mines and in crops, of economic forests and elephant preserves, and lastly of land- and water-routes and their varieties. This is an index of the thoroughness with which the problem was studied by the contemporary statesmen.

B. STATE AGRICULTURAL POLICY

Agriculture has been the main occupation of our people since early Vedic times. India as a whole enjoys the natural advantages of soil and climate as well as those of an admirable river system peculiarly fitting her for agricultural development. Certain geographical zones in particular, such as the lands on both banks of the Gaṅgā and the Indus and their tributaries as well as the Malwa table-land are marked out by nature as agricultural regions. In the pre-Maurya Age agriculture was prescribed as the normal occupation of the Vaiśya or the common freeman by the authors of the *Dharmasūtras*. It was the task of the statesmen of this period to adopt a wise policy of encouragement and support of the cultivators of the soil.

We can draw the outlines of this policy in the light of the data supplied by Kauṭilya. We begin with the references in Kauṭilyas chapters (III 8–10) relating to the law of agricultural holdings (*vāstu*). The *vāstu* or the holding of the cultivator is defined (II 81) as comprising tenements (*gṛiha*), fields (*kshetra*), gardens (*ārāma*), embanked reservoirs (*setubandha*) as well as tanks (*taṭāka*) and other sources of water supply (*ādhāra*). The possession of *vāstu* by the cultivator was safeguarded by a number of penal clauses. Thus a forcible occupation of *vāstu* is visited with the thief's penalty (III 9). Robbery accompanied with violence (technically called *sāhasa*) in respect of fields, tenements and so forth is punished with what is called 'the middle amercement' (III 17). Even the act of grazing cattle on another's field without permission of 'the owner' (*svāmī*) is punished with a fine. From other clauses (III 8–9) we learn that the cultivators were entitled to the full rights of ownership (including those of sale, lease and gift) over their holdings. Thus the sale of *vāstu* was allowed subject to the qualification that kinsmen were to have preference over neighbours and neighbours over creditors, while outsiders would come last. To the above we have to add that a definite procedure is laid down for the sale of homestead lands, of fields, of gardens, of irrigation-works and of embanked reservoirs as well as for the lease of tenements, wells, tanks, rice-fields and gardens. It is in harmony with the thoroughness of Kauṭilya's administrative arrangements that the transfers by gift or sale of fields within the rural area are required to be entered by the *gopa* in his field-register of the villages (see Chapter IX s.v. *Local government*).

Secondly, the cultivators are ordinarily allowed complete freedom of choice for the growth of their crops. The only exceptions to this general rule occur in Kauṭilya's programme for lease of newly colonized lands to the cultivators and for raising extra revenue for the king in a financial emergency (II 1, V 2). In the former case neglect of cultivation is punished with cancellation of the lease. In the latter instance the *samāhartā* (the chief revenue officer) is empowered to raise a second crop by the compulsory labour of the cultivators.[2]

Thirdly, the State adopted a number of measures for direct encouragement of agriculture. These consisted in the grant of agricultural loans and revenue remissions to the cultivators and the construction of irrigation-works by State agency or with State help. That this was the normal practice in the Kauṭilyan State is proved by a number of facts. We know that the loans as well as remissions were required to be entered by the *gopa* in his census of resident families of the villages (II 36). We are further told (III 9) that revenue remissions were to be granted for five and three years respectively in favour of one constructing new and restoring old or ownerless irrigation-works. Regard for the interest of the cultivator is indicated by a clause of law (III 11) exempting him from arrest for non-payment of debt during the cultivating season. We have a hint of State encouragement of new varieties of crops in the provision for the import of rare seeds duty-free (II 21).

In contrast with the ample data in Kauṭilya's *Arthaśāstra* we have but slight information about the agrarian policy of the State in other sources. From the story (to which we have often referred) of the sale of Jetavana by Prince Jeta to the millionaire merchant Anāthapiṇḍika, we may conclude that the possession of land in the kingdom of Kośala carried with it the right of its disposal to buyers.[3] The *Dharmaśāstras* contain clauses of law relating to the owner's right over his tenants as well as to the lease-holder's obligation to the owner of the land.[4] How strictly the field-labourer's obligation to serve his master was enforced is illustrated by a clause of law in Āpastamba (II 11. 28.2). Here we are told that a servant abandoning his work in tillage was to be flogged.

ROYAL ASSIGNMENTS OF LAND

An aspect of State administration which is frequently reflected in the *Jātakas* relates to the assignments of lands and even of villages by kings. Such assignments were made in favour of members of the royal family, of Brāhmaṇas, of officials as well as of private individuals of lower status. They appear to have been so well known that new technical terms were in use to designate their different varieties. We have an imperfect knowledge of the terms and conditions of these assignments. We may infer that the assignees enjoyed the revenues of villages granted by the kings probably in hereditary succession. We hear of a class of *gāmabhojakas* (village landlords) who exercised administrative and judicial powers by the king's grant. These powers were revocable by the king for abuse of authority. On the other hand, ownership of the soil by the king and sub-infeudation by the king's assignees—two essential features of the feudal system of medieval Europe — are unknown to the *Jātakas*.[5]

When we turn to Kauṭilya's *Arthaśāstra*, we find that the general policy of State administration was to discourage, if not to forbid, the assignments of lands. We hear of acquisitions of land (doubtless in the form of apanages) by members of the royal family, which were required to be entered by the *akshapaṭalādhyaksha* in his State Register of the kingdom (II 7). But we have no further information about the same. On the other hand the whole royal establishment consisting of members of the king's family as well as of the civil and military services were paid salaries according to their respective grades. It is true that some minor officials as well as Brāhmaṇas were granted assignments of fields in the newly colonized rural area at the time of State colonization of the waste lands (II 1). But the officers enjoyed their assignments without right of sale or mortgage, the Brāhmaṇas alone being granted permanent rent-free occupation of their holdings. It is also a fact that villages liable to military service in lieu of revenue were known at the time, the list of such villages being required to be entered by the *samāhartā* in his revenue-roll of villages in the kingdom (II 35). But otherwise there is no reference to such lands. It is, again, significant that the king is explicitly warned against granting villages at the time of colonization (V 3). Finally, we have to mention that the law of sale of agricultural holdings was purposely designed to prevent the acquisition of estates by capitalists. For we are told (III 9) that creditors and outsiders were to come after kinsmen and neighbours in the order of enumeration of those entitled to bid for purchase of the holdings.

STATE INDUSTRIAL AND COMMERCIAL POLICY

The pre-Maurya period is the first great Age of industrial and commercial expansion in Ancient Indian history. The records of this period point to progress in different branches of industry, especially textiles, the working of minerals, metal-work, stone-cutting and the jeweller's art. We hear, again, of the specialization of crafts of various kinds. Reference is made likewise to old and new technical terms for the worker's tools and methods of production. The industrial advance was accompanied by the development of an extensive inland trade as well as by the rise of overland and overseas trade. The *Jātakas* speak of great merchants who used to go about for trade with a large number of carts conventionally stated as amounting to five hundred. In the records of this period mention is made of well-known trade-routes serving as channels of the countrywide inland trade. Technical terms are used for small as well as large-scale business, and likewise for various commercial transactions. We hear of voyages of Indian traders to lands beyond the seas in the East as well as in the West. We have lengthy lists of articles of trade including those imported from outside.[6]

The most complete development of the State industrial and commercial policy during this period can be traced in Kauṭilya's *Arthaśāstra*. We find in this work a double attitude of the State towards artisans and traders. On the one hand special care was taken for the encouragement of trade and industry, no doubt because they were recognized among the State's greatest assets. On the other hand a strict control was maintained over industrial workers as well as over traders for protection of the public against various malpractices current at that time among these classes. This was accompanied by an equally strict control of marketing operations in the public interest.

Beginning with the measures for the encouragement and security of artisans and traders, we have just seen how the opening of trade-routes and the foundation of trade-marts within the rural area, and the settlement of artisans and dealers at specified sites of the metropolitan city, are included in the State programme for the development of the waste lands. In this connexion the king is directed to protect trade-routes against various obstacles and dangers. In the same spirit the *nāvādhyaksha* is required (II 28) to treat with fatherly kindness boats that have strayed from their routes or been damaged by bad weather. In particular, he is required to levy the customs duties at half their usual rates or even to remit them altogether on goods damaged by water : he is also charged with the duty of destroying piratical boats. More important are the special laws laid down for protection of the property of the artisans and traders. We are told (IV 10) that theft of articles of small and high value belonging to these classes is to be punished with a fine of 100 and 200 *paṇa* coins respectively. Again, a number of police regulations are prescribed for making various officers personally responsible for the security of merchants' goods in course of transit within their respective jurisdictions. Thus the *antapāla*, while collecting transit duties on passengers and their goods, is required (II 21) to take proper steps against loss or theft of any of their property. A chain of rural officials, namely, the village headman, the officer-in-charge of pastures, the official empowered to arrest thieves, and the officer-in-charge of five or ten villages are required (IV 13) according to the distance to which the stolen articles have been carried to make good the loss of dealers staying in the village, if after declaration of the value of their merchandise they are deprived of it by a theft committed in the night.

We now turn to the measures for State control of artisans and traders for the purpose of ensuring their honest dealings with the public. The dishonest practices of these classes, it appears, had become so notorious as to induce the moralists of this Age to condemn them to punishment in hell after death.[7] Kauṭilya's measures form the subject matter of a chapter (IV 1) dealing with the suppression of public enemies. We are here introduced to a body of administrative regulations directed against specific trades and professions branded as comprising men who are really thieves though passing as honest men. The measures comprise, firstly, the appointment of special benches of three magistrates (*pradeshṭās*) for enforcement of the laws and regulations ; secondly, specifications of the terms and conditions of work of the classes concerned along with penalties for their violation ; thirdly, fixing the rates of their remuneration ; and fourthly, an inquisitorial control over those classes.[8]

We come, lastly, to State control over marketing operations in Kauṭilya's work. These are entrusted partly to the *śulkādhyaksha* (officer-in-charge of the city customs-house), and partly to the officers called *paṇyādhyaksha* (officer-in-charge of merchandise, or more briefly, marketing officer) and the *saṁsthādhyaksha* (officer charged with control of stocks of merchandise, or according to another explanation, with control of the stocks of dealers). The *śulkādhyaksha* (*KA* II 21) was required during the very process of collecting *śulka* upon imported merchandise within the city limits to arrange for its public sale at a fixed price. The control was so designed as to give the public the guarantee of a fair price for their purchases and leave no loophole to the merchants for raising prices. The *paṇyādhyaksha* (II 16) was charged with the double function of controlling the home market for consumption of indigenous and imported goods and exploring the foreign market for pushing the sale of indigenous merchandise, and he took cognizance of both State and private merchandise. We are here concerned only with his policy towards private traders. In so far as the home market was concerned, this policy was designed to protect the public against unfair dealings by traders, while allowing the latter specific concessions. As for the foreign market the *paṇyādhyaksha* was expected to offer friendly advice and warning to the merchants engaged in export trade. The *saṁsthādhyaksha*'s functions, described (IV 2) appropriately enough under the caption '*Suppression of public enemies*' (literally, 'Eradication of thorns from rural and urban areas') related principally to protection of the public against the various malpractices of dealers.[9]

When we turn to sources other than Kauṭilya's *Arthaśāstra* we are confronted with an almost complete silence about the industrial and commercial policy of the State at the time. To this we have a remarkable exception in an extract of Vishṇu (V 122–130) in the context of the author's exposition of State law. Here the author enumerates various penalties for traders using false balances as well as those guilty of the sale of adulterated commodities, of cornering the market, of failure to give delivery of articles to the purchasers after payment of the price and of selling commodities on which the king has laid an embargo.

STATE CARE OF TRADE-ROUTES

It is in Kauṭilya's work that we have the first known reference in our ancient history to the construction and maintenance of trade-routes by the State. This is based upon the statesman's appreciation of trade-routes as a State asset, for we are told (VI 1) how the possession of land- and water-routes counts among the characteristics of a good *janapada*. Kauṭilya gives us a few concrete steps to be taken by the State in pursuance of this aim. We have seen how the construction and security of trade-routes is associated with the foundation of villages in Kauṭilya's programme of development of the waste lands. In another place (VII 12) we find how foreign policy is geared for possession of trade-routes. Here the author discussed a type of treaty between two States for acquiring trade-routes. This discussion involves balancing the relative advantages of land- and water-routes, of the Himalayan and the Southern routes and so forth.

STATE CONTROL OVER LOANS IN CASH AND IN KIND

One aspect of the great development of public economy during the pre-Maurya Age is the extensive use of agricultural, industrial and commercial loans to which the records of this period bear witness.[10] This led for the first time in our country's history to State regulations for fixing the legal rate of interest in general, and on a graduated scale. The legal rate was made sufficiently elastic (no doubt, because of the demand for capital far exceeding the supply) to allow the increase of the prescribed rate or rates up to a fixed limit.[11]

C. STATE CAPITALISM

The capitalistic system of production was a well-established institution during this period together with the age-old domestic system. Kauṭilya's code includes (III 13) a special title of law relating to the employment of slaves and workmen who may have been employed partly for domestic service, but were doubtless engaged likewise for agriculture, industry and trade. The literature of this period contains scattered references to the employment of both classes of labour and the methods of their remuneration.[12] We are here concerned with the State's emergence as the owner of the largest and most important group of capitalistic enterprises of the time. We learn how the State claimed not only the monopoly of mines and forests, but also competed with private enterprise in different branches of industry and trade. Before entering into a detailed exposition of the Kauṭilyan pattern of State capitalism we may mention some of its general characteristics. In the first place the working of the State monopolies follows a more or less uniform procedure. This comprises the successive stages of extraction of the mineral ores or else collection of the products of economic forests, of preparation of the raw materials into manufactured goods in the State refineries and workshops, and the disposal of the finished wares to the spending departments of the State or else to the public (II 12–14, 22–5). Secondly, a record of the working of the State workshops is preserved in the State Register of the *akshapaṭalādhyaksha* under the heads of profit and loss, outlay, demand in time of scarcity, (gains in) cesses, (loss by) adulteration, (cost in) wages paid, and compulsory labour (provided with subsistence) (II 7). With these preliminary observations we shall now attempt to describe the principal agricultural, industrial and commercial enterprises of the Kauṭilyan State.

STATE FARMING

Agriculture which was the ordinary occupation of freemen in our country in the Vedic Age appears from all available evidence to have reached a high level during the pre-Maurya period. The fields were carefully classified after the crops for which they were suited, water was used for irrigating the soil when needed, the agricultural implements as well as operations were known by appropriate technical terms. Rich farmers employed labourers whose wages were normally fixed by contract between the parties as well as slaves. Leases of fields by the owners were regulated by law.[13] The standards of agricultural production were fully developed in the working of the

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State farms of which we have a detailed description in Kauṭilya's *Artha-śāstra*. We may trace this development, firstly, in the technical qualifications of the controlling staff; secondly, in the larger provision for agricultural labour and the appliances of cultivation; thirdly, in the application of the most advanced scientific agriculture of the time for sowing the seeds (and doubtless for other agricultural operations as well); fourthly, in the precise rules for the payment of wages to the labourers; fifthly and lastly, in the precise terms of the share of the crops allowed to the lease-holders.[14]

STATE REARING OF DOMESTIC ANIMALS

The beginning of civilized societies has been marked in all lands by the emergence of man from the hunting to the pastoral and agricultural stages of production. In India the rearing of domestic animals may be traced back to the period of the prehistoric Harappan civilization. Coming to the historical period, we find that the Vedic Aryans were well acquainted with the rearing of various domestic animals which was included among the recognized occupations of the mass of common freemen afterwards classified as Vaiśyas. In the pre-Maurya Age the branch of animal rearing called *vārtā* ('applied economics') was comprised within the scope of a new science. The literary references indicate the high degree of specialization achieved in this branch during the same period.[15]

The stories of large donations of cattle by kings to the Brāhmaṇas in the later Vedic *Saṁhitās* and the *Upanishads* tend to show that the kings maintained huge herds of these animals. But no account of the administration of these royal establishments has come down to us. From the *Jātaka* stories (e.g. No. 184, p. 98), we learn that horse-trainers (*assabandhas*) were employed by kings for training the elephants, doubtless along with the horses, on their establishments.

The first complete description of the State rearing of domestic animals is given by Kauṭilya, no doubt after the standards of the contemporary advanced State administrations. The aims and purposes of maintaining the State herds can be guessed from the ample data in Kauṭilya's work. Draught animals would be required for providing transport for civil and military purposes: animal products would be needed for the payment of services in kind: specific breeds of horses would be required for use in war.

The arrangements in Kauṭilya's work are marked by the author's usual thoroughness. In the layout of the metropolitan city (II 4) sites were to be set apart for stabling the cattle, horses, asses and camels belonging to the royal establishment. Two separate *adhyakshas* functioned for the management of the State herds and studs of domestic animals. These were (*a*) the *go'dhyaksha*, who was the officer-in-charge not only of the cattle (as his title signifies), but also of camels, asses, goats and sheep belonging to the category of the State herds, and (*b*) the *aśvādhyaksha* or the officer-in-charge of the horses and mules. The duties of these officers are given in the footnote below in outline after Kauṭilya's description (II 29–30).[16]

STATE WORKING OF ECONOMIC FORESTS

It is well known that some geographical regions of our land have been famous for their forests of timber and other economic products from time immemorial. In so far as the pre-Maurya period is concerned, we have practically no information about the utilization of this economic asset in any source other than the *Arthaśāstra* of Kauṭilya. In fact, it is in this work that we find the first full recognition of the significance of forests in the State's economy as an undoubted result of a long course of antecedent development. Kauṭilya (II 6) includes forests as a separate item in his classification of sources of revenue. This consists of four varieties, namely, forests of wild animals (*paśu-vana*), forests of domesticated animals (*mṛiga-vana*), economic forests (*dravya-vana*) and elephant preserves (*hasti-vana*). We are here concerned exclusively with the third of these varieties, namely, the economic forests (*dravya-vana*). The economic products consist according to Kauṭilya's enumeration in another context (II 17) of the sub-types called the group producing hard wood, the bamboo group, the plant group, the groups which produce rope-making, paper-manufacturing, dyeing materials and medicinal substances, the groups which provide poisons, the remains of dead animals, base metals, bamboo (*sic*) and earthenware. That the value of forests as a State asset was recognized early in the *Arthaśāstra* circles is shown by Kauṭilya's quotation (VII 11–12) of a discussion by an old *Arthaśāstra* authority (in the context of a comparative estimate of different types of treaties) of the relative advantages of two types of economic forests and elephant-preserves as well as of their varieties, these views being refuted by Kauṭilya himself.

We summarize below Kauṭilya's programme for the working of the State economic forests. Afforestation of the barren area was included within the scope of the Kauṭilyan plan for multipurpose development of the waste lands. Economic forests were to form the most important type of such forests. How these were to be maintained and developed is told by the author in different contexts. Colonies of foresters accustomed to making a living by this means, we read (II 2), were to be established for their upkeep, and forest guards were to be appointed for keeping watch and ward. A special *adhyaksha* (*kupyādhyaksha* or the officer-in-charge of economic products), we are further told (II 17), was to collect those products through the agency of the forest guards. Those engaged for cutting down the trees for their products were to be paid proper wages, while those doing so unlawfully were to be punished : workshops (*karmāntas*) were to be established for manufacture of the forest products of all the varieties mentioned for civil and military purposes ('for the purpose of livelihood as well as for the defence of the city').

STATE WORKING OF MINES AND MINERAL PRODUCTS

The knowledge of metals may be traced back in India to the period of the prehistoric Harappan civilization. The use of various metals was known

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to the Vedic Aryans who seem to have introduced for the first time iron implements and weapons. The pre-Maurya period was marked by a great advance in the exploitation of mines and mineral products. Mines of various categories were worked so as to furnish an important source of revenue. New sciences arose relating to mining and metallurgy. Physical and chemical tests were applied for the discovery of ores of precious as well as of base metals. The ores were smelted and refined according to highly technical processes. The complete monopoly over mines and mineral deposits assumed by the State in the Kauṭilyan administrative system was based upon the statesmen's appreciation of the role of mines and mineral deposits as a valued asset of the State. In the context of their discussion of the type of treaties between two neighbouring States for the joint acquisition of mines, the political thinkers balanced the relative advantages of mines. The State workshops were set up for manufacture of mineral products for meeting the civil and military needs of the administration as well as the people's demand for implements in the pursuit of their occupations. The large-scale issue of coins during this period, for which we have both literary and archaeological evidence, would imply a considerable exploitation of the indigenous mines.[17]

The arrangements for the State working of mines and minerals in Kauṭilya's work are marked by the author's usual thoroughness. A high officer in charge of mines (*ākarādhyaksha*) was entrusted with the overall control and supervision of all the relevant operations from start to finish, while other *adhyakshas* with technical titles were required to deal with different branches of the mining industry and trade in minerals. The *ākarādhyaksha* and his staff, to begin with, were required (II 12) to have expert knowledge of the metallurgical sciences above mentioned. They were entrusted with the discovery of disused mines through a thorough examination of traces of old workings as described by the author. They were further required to apply the specified tests of soil, rock and liquid formations as well as of colour, weight, smell and taste of the soil for the discovery of new mines. The *ākarādhyaksha* followed a double policy in working the mines. While the costly mines were leased out on a share or a royalty basis, the rest were directly worked under his supervision according to the best technical process known at that time. Thus we are told that the *ākarādhyaksha* was to apply exhaustive tests for the discovery of mineral oils as well as of precious and base metals. He started workshops or rather refineries (*karmāntas*) for carrying out smelting and other operations according to the elaborate technique described by the author. He had to arrange, lastly, for marketing of the finished products (*kṛitabhāṇḍa*) under strict official control. The marketing was to be concentrated at one spot, the manufacture as well as the sale and purchase of the products elsewhere being visited with appropriate penalties. Living by the manufactured products without a State licence was punished with compulsory labour at the mines. Theft of the mineral products was punished with eight times the value of the stolen article, that of jewels (as we learn from another context) being punished with death. The duties of the *ākarādhyaksha* are summarized at the end as comprising the extraction of twelve kinds of ores from the mines, the manufacture of wares from them and the levy of State dues under various heads.

Coming to the group of officers charged severally with branches of the mining industry and trade, we are told (II 12) that the *khanyadhyaksha* was to start laboratories for processing of a list of precious substances (classified under the heads conches, diamonds, jewels, pearls, corals and alkalies) and to arrange for the marketing of their wares. The *lohādhyaksha* or the officer-in-charge of iron and other metals, we are told with equal brevity, was to do the same for a list of base metals (copper, lead, tin, bronze, brass, bell-metal, and the two unidentified items *vṛitta* and *tāla*). We have a fuller account of the functions of the *lavaṇādhyaksha* (the officer-in-charge of salt deposits) involving the complete control of the salt industry and trade by this officer. The salt deposits and refineries, we are told, were to be worked evidently by private parties on payment of a share of the output or of royalty to the State. The sale price of the State's share along with an accompanying cess was to be realized evidently for the king's treasury. Importers of salt had to pay the customs duties at the rate of one-sixth of its value along with various other dues of the State. Purchasers had to pay countervailing and other duties. Living by this industry and trading without a State licence as well as adulteration of the product was punished with fines. As an exception to this general rule, ascetics and learned Brāhmaṇas as well as those living in the third stage of life (*vānaprasthas*) of an upper-caste householder were allowed to manufacture salt for their own consumption.

The last of the officers to be mentioned in the present context is the *suvarṇādhyaksha* or the officer-in-charge of the State laboratories for treatment of precious and base metals. The *suvarṇādhyaksha*, we are told in great detail (II 13), was to construct a laboratory (*akshaśālā*) according to plan for carrying out various technical processes in connexion with the working of the metals. These processes involved the application of elaborate tests for classifying and grading gold and silver and other tests for detection of purity of the metals, as well as technical processes for refining the ores, and for the execution of various manufacturing operations. From the author's enumeration of the sources we learn that the precious metals were imported from various lands, most of which are now difficult to identify. The *suvarṇādhyaksha* was to take elaborate precautions against theft of materials by the workmen, the entry of outsiders being strictly forbidden.

The *suvarṇādhyaksha*, we are told in the following chapter (II 14), was to set up a master-goldsmith (*sauvarṇika*) in the goldsmiths' quarter of the city for the purpose of providing gold- and silver-ware for the public. The *sauvarṇika* exercised the most rigid control over the artisans (*aveśanīs*) for protecting the public against their acts of negligence as well as their dishonest practices. The workmen, for instance, were to be compelled on pain of forfeiture of part or the whole of their remuneration, as well as of other penalties, to fulfil the terms of their contract with their customers as regards the time of delivery, the nature of the finished products, and so forth. They were required to purchase weights and balances from the *pautavādhyaksha* or the officer-in-charge of the same, the use of other weights and balances being punished with a fine. Not only were the artisans to be punished for various overt acts of deception, but a thorough inquiry was to be made into their secret methods of deceiving their customers. These methods are indicated in elaborate descriptive and classified lists given by the author in the present context in the course of his description of the processes of manufacturing the wares, of examining the finished articles and of restoring the old wares.

STATE TEXTILE FACTORIES

Textile manufacture has been practised in our country as a domestic industry since the prehistoric period. We have, however, the first known instance of State working of the textile industry in Kauṭilya's *Arthaśāstra* (II 23). From the significant silence of the author about disposal of the products it would appear that the primary objective of the State textile factories was to produce fabrics for the needs of the civil and military administration. Rules for the working of the factories are laid down with the author's usual thoroughness. A large variety of fabrics was to be manufactured out of an equally varied list of raw materials. Skilled male as well as female labour was to be employed for the operations of spinning and weaving ; the policy towards labour was to be marked, on the whole, by a humane approach. We give below a summary of the author's account. A special *adhyaksha* called the *sūtrādhyaksha* was to be in charge not only (as his name indicates) of spinning, but also of the weaving operations. A spinning factory (*sūtraśālā*) was to be built for the spinning of yarns, and other factories (*karmāntas*) were to be set up for the manufacture of woven fabrics. Female labour was to be utilized extensively (though not exclusively) for spinning yarn, no doubt in accordance with the traditional occupation of this sex. The female workers belonged either to unattached or disreputable classes in which case they were evidently engaged to work at the factory : or else, they were selected from dependent as well as from respectable classes, when they were allowed to do the work at home and take the produce to the factory. The yarns were prepared from a wide variety of raw materials (wool, tree-bark, tree-cotton, plant-cotton, flax and hemp) which were apparently supplied from the *koshṭhāgāra* or the State store-house. Wages were to be paid according to the quality and quantity of the yarn spun, extra benefits being given for large production and for work on holidays. The women presenting themselves at the *sūtraśālā* in the early morning for delivery of the yarn made by them were to be guaranteed protection of their modesty at the time of examination of their output, and they were to receive prompt payment of wages. Disciplinary measures were to be taken against the *adhyakshas* looking at their faces or talking about other matters, or delaying payment of the wages. On the other hand, women failing to deliver the yarn after receiving their wages and those stealing the materials were to be punished with mutilation of the thumb.

Artisans were to be employed in weaving factories on a contract basis, the terms of the contract relating to the amount of work to be done, the time to be taken for its performance as well as the wages to be paid. The products were to comprise varieties of garments, blankets and containers made of hemp, silks of two kinds, sheep's wool and cotton. Other workmen were to be employed for the manufacture of mail armour, ropes made of threads and tree-bark, and tether made of cane and bamboo. Rewards were to be given for meritorious work, and personal contact was to be established with the labourers. On the other hand misappropriation or theft of the material was punished with mutilation of the thumb.

STATE BREWERIES AND DISTILLERIES

Next to the State textile factories the work of Kauṭilya contains an account of the first State breweries and distilleries known to our country's ancient history. (See Chapter IV s.v. *State control over popular vices.*)

STATE TRADING

The first known account of State trading, as of State industries, in our country's history occurs in Kauṭilya's *Arthaśāstra*. According to this author's description (II 16) the *paṇyādhyaksha* (officer-in-charge of merchandise) has the task of pushing the sale of the State merchandise to the best advantage at home and abroad. He is to have a thorough knowledge of the current market conditions ('He is to make himself familiar with the different price levels of costly and familiar wares, the demand or its absence for the same, the time for concentration and disposal as well as for the purchase and sale of the wares'). In so far as the home market is concerned, he is required to collect the merchandise in excess of supply at one place for realization of its proper price and, later, to lower ('revise') the price. Marketing of State merchandise of local manufacture, we are further told, is to be centralized, evidently under the *adhyaksha's* control, the *paṇyādhyaksha* being warned against withholding the sale of stock in excessive supply as well as against cornering the market. Alternatively the State merchandise is to be sold at a fixed price to licensed dealers who are to be fined for lowering the price apparently for the purpose of attracting a larger number of customers. At the end of the daily transactions the dealers are further required to make over the proceeds of sale, and the balance of stock left as well as the weights and measures to the *paṇyādhyaksha*. As regards the foreign market, the *paṇyādhyaksha* is to consider the difference in price levels of the local and the imported merchandise and to make a series of calculations for estimating the margin of profit likely to accrue from the sale. Should there be no prospect of profit, he is still to consider the chances of disposing of the merchandise by barter, or of keeping it in storage ; if there is a chance of profit, he is to spend one-fourth of the expected profit for transport and to establish contact with the various local officials for pushing the sale.

MEASURES FOR SECURITY OF STATE MERCHANDISE

In a special chapter (IV 9) under the caption *Security of all government offices* Kauṭilya gives a list of measures for the protection of State merchandise. The administrative measures consist of investing the two highest rural officers (the *samāhartā* and the *pradeshṭā*) with the general direction of the *adhyakshas* and their subordinates. Further, a scale of penalties fixed in terms of the current (silver ?) *paṇa* and *māsha* coins is prescribed for theft of articles from government factories, warehouses and so forth, which are said to be included within the State-owned area (*rājaparigraha*). This stands out in sharp contrast with the slighter scale of penalties for theft from 'the outer area' (*bāhya*). The penalties are fixed according to the value of the stolen article in terms of *paṇas* and *māshas*, one *paṇa* being regarded as the equivalent of sixteen *māshas*. The contrast with the much slighter scale of penalties for theft from the privately owned area ('the outer area') may be indicated in tabular form as follows :

Penalty for theft within 'the royal area'	*Penalty for theft within 'the outer area'*
(*a*) 12 times the value of royal merchandise when ranging from one *māsha* to ¼ *paṇa*	3 times the value when ranging as in the parallel column
(*b*) 24 times the value when ranging from ¼ to ½ *paṇa*	6 times the value as above
(*c*) 36 times the value when ranging from ½ to ¾ *paṇa*	9 times the value
(*d*) 48 times the value when ranging from ¾ to 1 *paṇa*	12 times the value
(*e*) first amercement when value ranges from 1 to 2 *paṇas*	24 times the value
(*f*) middle amercement when value ranges from 2 to 4 *paṇas*	36 times the value
(*g*) highest amercement when value ranges from 4 to 8 *paṇas*	
(*h*) death when value ranges from 8 to 10 *paṇas*	

For theft from the State treasury, store-house and workshop the penalty is 24 times the value, when the stolen property is valued between ¼ and 1 *māsha*.

STATE PURCHASE OF VALUABLES

We now turn to an aspect of State economic policy which is in keeping with the advanced economic policy of the time. We are told in a number of

Jātaka stories how kings employed expert valuers or other experts on the work of valuation (*agghāpaniyakamma*) for purchase of valuable articles required for their use. We have one marvellous story (No. 463, p. 137) of a blind expert testing for the king's service an elephant, a horse and chariot as well as a rug which he found to be defective simply by touching them with his hands.[18]

D. STATE CONTROL OF WEIGHTS AND MEASURES

The Vedic Aryans knew the use of weights and measures called by appropriate terms. By the time of Kauṭilya's *Arthaśāstra* there had arisen an elaborate system of weights and balances, of liquid and lineal measures and of measures of time. In these circumstances it was but natural that attempts should be made towards standardization in the advanced State administrations of the time. It is in Kauṭilya's *Arthaśāstra* (II 19) that we come across the first State-directed organization for the regulation of weights and liquid measures. Without going into technical details we may summarize the three principal features of this organization. In the first place a State factory was founded for the manufacture of weights and measures and a special officer called the *pautavādhyaksha* was placed in charge of the same. The weights were to be manufactured out of iron, of stone belonging to a particular locality or of wood of a particular texture, while wooden vessels of a particular design and material were to be prepared for liquid measures. Secondly, the inspection of weights and measures was to be carried out by the *pautavādhyaksha* every fourth month, a fixed fee being payable for this inspection. Excess or deficiency in respect of the weights and balances as well as of the liquid measures over and above an allowable margin made the dealers liable, as we learn in another context (IV 2), to a regular scale of fines. In the third place, a series of balances was to be manufactured so as to give a maximum advantage to the State in the collection of its dues. We are told that the balance to be used for payment of the government dues was to weigh one hundred *palas*, while those used for payments to the public, to the government servants and to the inmates of the king's harem were to weigh ninety and eighty-five *palas* respectively.[19] Turning to our other sources we find a slight reference to the State control over weights and measures in a *Dharmasūtra* text. The weights and measures required for the class of householders, says Vasishṭha (XIX 13), were to be guarded against falsification. A late historical tradition recorded in the Kāśikā commentary on Pāṇini (II 4.21) credits the Nandas with the first introduction of weights and measures. This is probably a garbled version of some changes introduced in their working by the Nandas.

E. STATE REGULATION OF COINAGE

The pre-Maurya period is the first great Age of dominance of a money economy in our country's history. As might be expected from the vastness of our country and the variation in its economic standards, we have references in the contemporary records to the continuation of the primitive system of barter as well as of the use of standard articles and animals as the medium of exchange. But the most characteristic feature of this period is the development of a complete system of coinage of indigenous origin.[20] The coins, we learn from literary evidence, were struck in three metals, namely gold, silver and copper: the principal gold coins were called after their Vedic titles of *nishka* (Pali *nikkha*) and *suvarṇa*: the most common type of the silver currency was the *kārshāpaṇa* (Pali *kahāpaṇa*) with its denominations in *māshas*: the copper coins also called *kārshāpaṇas* (or *kahāpaṇas*) were divided into denominations of *māshaka* (or *māsha*) and *kākaṇi*.[21] The archaeological evidence which helps to supplement the literary material is provided by the recent discoveries of large quantities of silver coins and a smaller number of copper coins belonging to this Age. The Ancient Indian silver coins have been divided broadly into two categories which have been called the single-type coins and the punch-marked coins depending on whether they have one or more symbols on the obverse. These categories have been further subdivided into various classes according to their differences in fabric and design. The great majority of the Ancient Indian silver coins have been identified as *kārshāpaṇas* of the literary texts and their denominations. In so far as our present context is concerned, good grounds have been given for assigning three series of punch-marked coins to the pre-Maurya period. These are the coins of the (independent) Pañchāla and Kośala kingdoms and of the Imperial Nandas. They would thus furnish the first concrete instance of regional coinage in our country's history.[22]

We have now to take up the important question of the authority responsible for the issue of the punch-marked silver coins. From the system of stamping the punch-marks in a regular series, it has rightly been inferred that they were issued by a central authority, (or as we may call it, the State). The interesting suggestion has been made in this connexion that the punches on the obverse represented a series of officials of diminishing areas of jurisdiction, while the obverse marks were the badges of a ruler or of a district.[23] Whatever that may be, the theory of the State issue of the punch-marked coins is corroborated by the standard weight of the large majority of the same ranging from 51.5 to 52.5 grains.

The first clear account of State regulation of coinage occurs in Kauṭilya's *Arthaśāstra*. This was evidently necessitated by the large scale of the dues payable to and the payments made by the State principally in the current *paṇa* coins. The chief features of Kauṭilya's account (II 12) may be thus summarized. Firstly, the coins were struck by State authority. The work was entrusted to a special *adhyaksha* called the *lakshaṇādhyaksha* or the officer-in-charge of the stamped (punch-marked ?) coins. The details relate to the issue of coins in silver and copper, the former being known as *rūparūpya* and the latter as *tāmrarūpya*. Reference is made in another context (IV 1) to the manufacture of gold as well as of silver coins, named respectively as *suvarṇas* and *dharaṇas* which were apparently struck under the direction of the *lakshaṇādhyaksha*. The mint regulations, as they may be called, were sufficiently precise. We learn that a fixed proportion of the pure metal to the alloy was to be used for the manufacture of silver and copper coins. These coins, again, were struck in denominations of $\frac{1}{2}$, $\frac{1}{4}$th and $\frac{1}{8}$th.

From the passage quoted above in a different context (IV 1) we learn that fees were paid on a fixed scale to the labourers employed for the manufacture of *suvarṇa* and *dharaṇa* coins. An ascending scale of fines is further laid down for theft of $\frac{1}{16}$th and increasing proportions of the *suvarṇa* and *dharaṇa* coins. The exceptionally heavy fine of one thousand *paṇas* is prescribed for manufacturing counterfeit coins, for accepting them as genuine, and for passing them off to another: the death-penalty is to be inflicted for passing such a coin into the king's treasury. In another context (IV 4), we are told how espionage is to be employed for the detection of counterfeiters of coins, banishment being the penalty in case of proved guilt.

Parallel to the office of the *lakshaṇādhyaksha* was that of the *rūpadarśaka* or the examiner of coins. He was charged with directing the circulation of coins according as they were meant for public transactions or intended to be deposited in the king's treasury. These may refer to the standard and the token coins respectively in use at the time. A scale of fees is payable by the public for the above examination. In another context (IV 1) penalties are laid down for the *rūpadarśaka* who is guilty of not passing genuine *paṇas* and of passing bad ones as genuine.

CHAPTER V

NOTES

[1] *Kula* in this context means a unit of land cultivated with a pair of ploughs of middling quality or alternatively with a team of ten oxen (Kane, *H of D*, Vol. III, p. 150n).

[2] The details of the process of compulsory production of a second crop are sufficiently important to be quoted here. The cultivators, we are told (*KA* V 2), should enter into a written agreement making them liable to a fine of double the value of the crops that might be destroyed through their negligence when the crops are ripening: they should be forbidden to take away the ripe and the unripe crops, the penalty for theft of the same varying from eight times the value of the stolen crops to death.

[3] On the other hand the term *kuṭumbika* which has been translated as 'land-owner' (*Jāt.* tr. No. 249, p. 267; No. 288, p. 423, etc.) seems simply to mean a householder or the chief of a household (see *PTS Dictionary*, s.v.).

[4] Cf. Āpast. II 11.28.1 (a person taking out lease of a field but not gathering any crop because of his failure to exert himself is liable to pay the value of the crop if he is rich).

[5] Technical terms for assignments: (a) *brahmadeyam*, or more fully *rājabhoggam raññādinnam rājadeyam brahmadeyam*, for assignments to Brāhmaṇas; (b) *bhogagāma* enjoyed by a *purohita* (*Jāt.* No. 509, p. 473); (c) *bhogagāma* or *rājabhāga* granted as apanage to members of a royal family (*Jāt.* No. 454, p. 82). A historical tradition of the assignment of a village for 'bath and perfume powder' by King Ajātaśatru to his daughter on the occasion of her marriage is preserved in *DN* I 187. Other refs.: (a) *Jāt.* No. 376, p. 229 (king's offer of a village yielding 100,000 coins as reward for admonition by a virtuous ascetic); (b) No. 456, pp. 98–9 (king's gift of five villages along

with 1,000 slave girls and more than 1,000 gold coins to a Brāhmaṇa); (c) No. 533, pp. 354, 371 (king's gift of villages to a pious hunter); (d) No. 545, p. 294 (king's gift of a village, of a port-town and of a district in his kingdom to his son and his brother). For complete list of refs. see *Jāt. Index* s.v. *Villages given for revenue, for bath-money, queen's allowance.* Administrative and judicial powers of assignees: (a) *DN* II 316 (a *rājanya* assignee in the course of an argument states that he used to sentence felons caught in the act and brought before him for trial, to death with various tortures); (b) *Jāt.* No. 257, p. 309 (story of king's threat of revocation of grant for corrupt judgment by the *gāmabhojaka*).

[6] Some account of the above has been given by the present writer in Chap. VIII entitled *Industry, trade and currency* in the work *Age of the Nandas and the Mauryas*, Banaras, 1952. Pāṇini's refs., compiled by Agrawala (*India*, pp. 229ff), consist of (a) a list of industrial workers comprising potters, carpenters, makers of bows, dyers, workers in minerals, precious and base metals, as well as in gems; weavers and workers in leather; (b) a list of technical terms for dye-stuffs and kinds of dyed cloth, for gold, silver, iron, copper, bell-metal and tin, for ruby, emerald and cat's eye, for cloth fresh from the loom, for various kinds of blankets; (c) a list of technical terms for blacksmith's tools and place for working the looms as well as for the loom and the shuttle.

[7] Cf. *Jāt.* No. 541, pp. 110, 113 (torments in hell for those who mixed good grain with chaff for sale to the public, as well as for those who practised knavery in the market-place, haggling for love of gain).

[8] We give below a summary of Kauṭilya's measures for State control of trades and professions under the last three heads. Artisans receiving materials from customers are required to possess the necessary qualifications for their job, while the guild is declared to be liable to make good the loss in the event of any mishap befalling the artisan. When accepting his job the artisan is required to specify the time and place as well as the expected output of his labour: delay in delivery or damage to the materials is punished with a fine as well as a reduction of the artisan's remuneration. Weavers are required to maintain the standard rates of increase in weight of the textile materials committed to their charge, and they are liable to fines for falling short of these rates: a scale of remuneration is fixed for weaving different kinds of textiles. Washermen are required to wash the clothes on specified stands: along with dyers they are required to deliver the clothes within prescribed time-limits: washermen are further obliged to maintain standard rates of decrease in value of the clothes after each successive washing: penalties are laid down for damage caused by washing on unspecified stands, for wearing other than their cudgel-marked clothes, for pledging or hiring out the clothes of their customers, and for failure to deliver the clothes within prescribed time-limits. The same regulations are applied to the tailors. A scale of remuneration is fixed for the dyers of different kinds of textiles. Goldsmiths are liable to penalties on an ascending scale for purchase of gold and silver articles from unclean hands or from thieves without informing the authorities. A scale of remuneration is fixed for workers in gold and silver as well as in base metals, while penalties are prescribed for theft of even the one-sixteenth of a (gold) *suvarṇa* and a (silver) *dharaṇa* coin. Workers in base metals are required to maintain the standard rates of diminution in the weight of the metal. How physicians treating their patients are subjected to State control has been stated in another place (Chapter IV s.v. *Measures for ensuring public welfare*). Lastly, musicians and actors are required to stay in one place during the rainy season, and likewise to avoid taking excessive gifts or even receiving inordinate praise. The same rules are applicable to bards and mendicants. Breach of these rules is punished with fines fixed at the discretion of the magistrate. The punishment of whipping is fixed for wilfully wounding the feelings of others.

[9] *Summary of Kauṭilya's procedure for public sale of merchandise by śulkādhyaksha* (II 21): After the merchandise has been brought to the city custom-house, and its amount and values along with the credentials of the merchants have been examined by the

toll-house officials, it is to be deposited for public view under the toll-house flag : the amount as well as the sale-price of the merchandise is to be proclaimed three times in succession to the assembled public, and it is to be sold to one agreeing to its purchase at that value : the price is so strictly controlled that any excess, due to competition among the buyers, is liable to confiscation to the State treasury.

Summary of paṇyādhyaksha's policy towards private traders (II 16) : Marketing of imported merchandise was to be dispersed : sales were to be so regulated as to benefit the public, excessive profit when that was possible being prevented in order to avoid harassment of the public : withholding of sale at the proper season or hoarding of stocks in the case of goods in abundant supply was to be forbidden. On the other hand, importers of foreign merchandise arriving in boats were to be assured of revenue remissions in the future : importers were not to be hauled up for money matters at the King's Court. Merchants exporting their goods outside the country were to be advised to save their lives and their valuables when in danger and to pay up all dues to the foreign government before returning home : when sending their merchandise by water-routes they were to take into consideration the various items of expenditure and the difference in price between their own and the foreign wares and the customs regulations in force at the trade-marts : they were to transport their wares along land- and water-routes so as to derive profit, and not along those routes likely to bring little or no profit.

Summary of saṁsthādhyaksha's policy towards traders (IV 2) : As regards retail trade, sale and mortgage of old merchandise were to be permitted to dealers only after their proved ownership of the same. Strict inspection was to be maintained over weights and measures, deficiencies beyond the permissible margin being visited with an ascending scale of fines. Dishonest practices of dealers in the act of weighing, measuring and counting their wares were to be visited with appropriate penalties : passing inferior goods as superior was to be punished with an ascending scale of fines. As regards the wholesale trade, artisans and traders were to be prevented from forming combines for the purpose of lowering the quality of their output or for increasing their profit or for harassing the purchaser and the seller. Merchants were similarly to be prevented from forming combinations for the purpose of cornering the market and for purchase and sale at unfair rates. Adulteration of various articles of merchandise was to be punished with fines according to schedule. Bulk purchases and sales of food-grains and other merchandise by the dealers were to be undertaken with the permission of the State authority, defaulters being punished with confiscation of their wares. The sales were strictly controlled, the rate of profit being fixed by law at 5 per cent and 10 per cent for indigenous and foreign goods respectively, evidently after the authorities had determined the cost. Valuation of old as well as of foreign merchandise evidently for the same purpose was to be carried out by an expert after consideration of a number of relevant factors. The sale of all merchandise was to be centralized apparently by the agency of licensed dealers. The dealers were required to be paid on a daily basis and to fix the price of goods so as to accommodate the public.

[10] This may be illustrated by the list of relevant refs. in Pāṇini which include (a) technical terms for debtors and creditors, for loan, interest and repayment of capital ; (b) terms for loans bearing different rates of interest and repayable after different periods of time or at different seasons ; (c) terms for a written bond as well as for the security given at the time of taking loans. (See Agrawala, *India*, p. 274.) In *DN* II 69, *MN* 39, *AN* I 177 we have the simile of a man starting business with a loan and utilizing his investment not only to repay the loan, but also to accumulate a surplus wherewith to maintain his wife. How the creditor was permitted to harass or even imprison the defaulting debtor is told in *AN* I 251, 352.

[11] *Legal rates of interest* : (a) Gaut. XII 26, Vas. II 50, Baudh. I 5. 90–1 (interest on loans in cash to be fixed at the rate of 5 *paṇas* in the hundred per month, amounting in other words to 60 per cent per year ; (b) *KA* III 11 (interest on loans in cash to amount to 1¼ *paṇa* per hundred *paṇas* per month : interest on loans in food-grains to be

calculated at the rate of one-half of the quantity lent, and to run on principal and interest combined before and after reaping the crops). *Maximum rate of interest in Dharma-sūtras*: (a) Gaut. XII 28 (amount of principal and interest recoverable at one time cannot be more than double the money lent); (b) ibid. XII 53 (maximum interest on loan of grains, fruit, wool and beasts of burden as well as of clarified butter and milk to be 5 times of what is lent); (c) Vas. III 44–7 (maximum interest recoverable at one time to be three-fold in the case of grain, flowers, roots, fruits and fluids, and eight-fold in the case of things that can be weighed); (d) Vish. VI 17 (when no special rule of law is laid down, maximum interest recoverable to be double of what is lent). *Increase of legal interest permissible in Arthaśāstra*: *KA* III 10 (interest on loans in cash may be raised to 5 *paṇas* in accordance with commercial usage, 10 *paṇas* for dealers traversing forests and 20 *paṇas* for those traversing the seas).

[12] *Some important refs.*: (a) *KA* III 13 (law relating to slaves and workmen); (b) Pāṇ. III 1.26, 14, III 36 (payment of *bhṛiti* or subsistence to *karmakaras* or unskilled workmen and of *vetana* or wages to *śilpins* or skilled workmen); (c) Pāṇ. VI 4.68 (payment of daily food to workman); (d) Pāṇ. V 1.56 and ibid. 80 (payment of *karmakaras* by the month, and the scale of the monthly payments); (e) *Jāt.* No. 1, p. 15 (story of a rich Brāhmaṇa sailing to Suvaṇṇadīpa with *dāsas* and *karmakaras*).

[13] *Data in Pāṇ.* (growth of three crops every year, classification of fields, use of water from wells for irrigation, use of special type of bulls for ploughing the fields, and various agricultural processes); *in Gaṇapāṭha on Pāṇini* (ten successive processes of harvesting the crops); in *Mahābhāshya* of Patañjali (personal supervision of hired labourers by owner of the field. For refs. see Agrawala, *India*, pp. 197–205). *Refs. in early Buddhist literature*: (a) *SN* I 2, ibid. 4, IV 195; *Jāt.* No. 484, pp. 276–9 (employment of provisional ploughmen, field-watchers and so forth and renting out of field by the owner of a big estate); (b) *Jāt.* No. 389, p. 293 (story of a Brāhmaṇa owner of 1,000 *karīshas* of land and of his experience while ordering his men to plough the fields). In *KA* II 13 we are told that wages should be paid by contract or else according to special clauses of the law.

[14] *Summary of Kauṭilya's rules for management of State farms*: The *sītādhyaksha* or the steward of the State farms and his staff of assistants were to be versed in *krishi-tantra* or the agricultural science as well as in *gulma-vṛikshāyurveda* or botany of trees and plants. This officer was to combine direct cultivation of the fields with their lease to share-croppers. For the purpose of direct cultivation, the officer and his assistants were to collect seeds of a wide variety of crops, namely, all kinds of food-grains, flowers and fruits, legumes, bulbous and other roots, flax or linen and cotton. After the fields had been intensively ploughed the seeds were to be sown on the appropriate soil. For this work free labourers, slaves and convicts were to be employed and provision was to be made for the accessory human labour (that of artisans, blacksmiths, carpenters, borers, rope-makers and even snake-catchers) as well as for bullocks and agricultural implements. In the operation of sowing the seeds meteorological data were to be applied in the light of the records of minimum rainfall in the current *droṇa* measure needed for different regions and different soils: likewise the distribution of rainfall during the four months of the rainy season was to be kept in view. Parenthetically, it may be observed that these directions evidently involved utilization of the monsoons, which have been the ruling factor in our country's agricultural production through the Ages. Further it may be observed that we have a clue to the method of collecting data about rainfall in another context (II 5) where we read that the State store-house was to be provided with a *varshamāna* or a rain-gauge consisting of a hole with a mouth as wide as one *aratni* (or twenty-four digits). In the operation of sowing the seeds astronomical data were to be utilized through observations of the movements of Venus and Jupiter and the changing aspects of the Sun. The beginning or the middle or the end of the rainy season was to be selected for sowing three varieties of seeds. Different soils were to be carefully selected for the growth of different kinds of crops. The seeds were to be exposed to the Sun's rays and to the nightly dew for 3 to 5 or else for 7 days as the case might

be, and they were to be smeared and treated with different juices. The elaborate operations were to be completed by the utterance of a ritual prayer at the time of sowing. The reaping of the crops was to be done so thoroughly that no chaff remained on the fields. The ripe corn was to be gathered in storages, and proper arrangements were to be made for threshing it. The wages and rations of artisans were to be determined by the amount of their work, while those of other labourers were to be paid at the rate of 1¼ *paṇa* per month, and they were to receive rations according to the work done. In so far as the lease of farms was concerned, the fields left unsown by direct State agency were to be let out to share-croppers. By the terms of their contract they were to receive ½, ¼ or ⅕ of the crop according as they provided all accessory labour and implements, or else their own bodily labour. They were required to pay water-rates according to schedule—a clear indication of the complete monopoly claimed by the State (within the limits of the State farms) over the natural and artificial sources of water-supply for the purpose of irrigation.

[15] The refs. in Pāṇ. (selection of bulls for different purposes, selection of best breeds of cattle, special arrangements for tending and grazing cattle, branding of cattle as a mark of ownership, test of horses for speed) are collected together by Agrawala, *India*, pp. 220–7. *Other refs.* : (a) Vas. II 32–3 (a Brāhmaṇa employed in cultivation should plough his fields before breakfast with bulls whose noses have not been pierced: he should water the animals when ploughing in the hot season) ; (b) Baudh. II 4.20–1 (a Brāhmaṇa employed as above must not strike the bulls with the goad but should coax them).

[16] *Summary of go'dhyaksha's duties* (*KA* II 29) : He was to prepare classified lists of cattle evidently for entry in his register. New-born calves were to be branded and their numbers along with the distinctive marks on their bodies were to be recorded in the same register. The officer had to arrange for grazing the cattle in herds of a hundred each or of several hundreds. The herdsmen and other labourers in charge, as the case might be, were to receive their wages in cash, or were to pay various duties to the State in cash or in kind. The herdsmen were given strict directions for ensuring the safety of their herds in the act of grazing or of being watered, and generally for prevention of all dangers to their lives and limbs. Rewards were to be given for recovery of lost cattle, while the killing or stealing of cattle was punished with death. The herdsmen were to submit immediate report to the officer in the event of cattle being stolen or killed by wild animals or dying from natural causes. Milking cows and buffaloes was to be done once or twice in the day according to season, while goats and sheep were to be fleeced once every six months, breach of these rules being punishable with fines. The animals were to be given rations according to a prescribed schedule. Clarified butter was to be extracted from milk in standard proportions and even the carcases of dead animals were to be utilized in ways stated by the author. It may be observed that elsewhere (II 15) the officer-in-charge of the State store-house is required to distribute rations to various classes of domestic animals according to schedule.

Summary of aśvādhyaksha's duties (*KA* II 30) : He was to prepare a classified list of horses according to the mode of their acquisition or to the purpose of their utilization and to enter these items in distinctive detail in his register. The stables were to be constructed according to an elaborate plan for the convenience of the animals. The colts were to be given rations according to schedule from their birth to their fourth or fifth year, and the horses were to be similarly treated according to their division into superior, intermediate or inferior grades. Horses and mules were to be given rations on a corresponding scale. The classes of horses were to be distinguished, according as they were fit for war or for riding for non-military purposes. Breeds of horses required for drawing chariots and for carrying loads were to be distinguished by tests of distance covered by them. Monthly rations were to be drawn for both the animals and their attendants from the State treasury and the store-house. A veterinary staff of attendants and surgeons was to be employed for looking after the animals.

[17] *Refs. to the working of mines in KA* : (a) II 6 (12 varieties of mines held to constitute the revenue item *khani* or revenue from mines, namely, diamonds, other jewels, pearls, corals, conches, gold, silver and base metals, salt, mineral ores, rocks and soils); (b) II 12 (knowledge of *śulvaśāstra, dhātuśāstra, rasapāka* and *maṇirāga* mentioned in list of technical qualifications of *ākarādhyaksha* and his assistants) ; (c) II 12 (tests for discovery of metallic ores). *Refs. to the role of mines in State administration in KA* : (a) I 12 (mines held to be a source of revenue which in its turn is the means of maintaining the army and these two, the revenue and the army, declared to be the indispensable means of acquiring dominion) ; (b) VI 1 (possession of mines included among the tests of a good *janapada* or country) ; VII 11 (comparative estimate of different types of mines in the context of discussion of classes of *karmasandhi* or treaties for the joint construction of public works by two States). The references to minerals and processes of their working in Pāṇini and his school have been collected by Agrawala, *India*, p. 231. For a detailed account of the minerals and their working in the Pali cannon and the *Jātakas* see A. N. Basu, *Social and rural economy*... Vol. II, pp. 192ff, 217ff.

[18] Cf. *Jāt.* No. 5, pp. 124–6 ; No. 158, pp. 31–2 ; No. 310, p. 31 and especially No. 463, p. 137 (testing of an elephant, a horse, a chariot and a rug for the king by a blind expert valuer who finds them all to be defective simply by touching them with his hands).

[19] For elucidation of Kauṭilya's table of weights and measures see Kane, *H of D*, Vol. III, pp. 145–6 and A. N. Basu, op. cit., Pt. II, Chap. 3.

[20] Cf. Gaut. VII 16f, Vas, II 37f, *MN* 81, *Jāt.* No. 90, p. 377 (use of barter) ; Pāṇ. V 1.19, ibid. 27 (use of cloth and of cows as mediums of exchange). To the above we may add later refs. in Kāśikā on Pāṇini, IV 1.22, V 1.3 (use of horses as well as of the *kambalya* measure of wool as mediums of exchange).

[21] *Refs. to coins and their denominations in Dharmasūtras* : Vish. IV 9ff (enumeration of three classes of coins, namely, gold *suvarṇas* and *nishkas*, silver *māshas* and *dharaṇas* and copper *kārshāpaṇas*). The refs. to coins in Pāṇini are collected together by V. S. Agrawala who likewise gives a comparative table of Ancient Indian coins and their denominations and standards (*India*, pp. 258–73). For some references in the Pali canon and the *Jātakas*, see *PTS Dict.* s.v. *kahāpaṇa* and *nikkha*, the second term meaning both a gold ornament and a gold coin. For a complete list of references in the *Jātakas*, see *Jāt. Index* s.v. *money, kahāpaṇa, nikkha, māsaka, aḍḍhamāsaka, suvaṇṇa, suvaṇṇa-māsaka, kāla-kahāpaṇa kākaṇikā*. For select refs. in *Jātakas* to *nikkhas*, evidently in the sense of gold coins, cf. (a) No. 456, pp. 98–9 (more than 1,000 *suvaṇṇa-nikkhas* mentioned in a list of presents given by a king to a Brāhmaṇa) ; (b) No. 478, p. 224 (a poor Brāhmaṇa collects 7 *nikkhas* as fee for his teacher) ; (c) No. 506, p. 461 (king's offer of 100 *nikkhas* as reward). For select refs. to *kahāpaṇas* in the sense of silver coins, cf. (a) No. 257, p. 305 (24 *kahāpaṇas* fixed by a just king as the price of a pair of oxen) ; (b) No. 458, pp. 106–8 (*kahāpaṇas* distinguished from *suvaṇṇa-māsakas*).

[22] The above characteristics of Ancient Indian coinage are summarized from J. Allan, *Catalogue of the coins of Ancient India* (British Museum), Introduction, Pts. I–IV. Chief relevant points of his description : Firstly, the single-type silver coins consist of a bent-bar class and four other classes. 'The former group were struck on the Persian standard of 172–7 grains for the larger pieces and were issued by Achaemenid Governors in the first half of the fourth century B.C. or after extinction of Persian rule in the second half of the fourth century B.C.' Of the rest, the first two classes represent half *kārshāpaṇas* on a standard of 25–6 and 26–7 grains respectively ; the third class represents the single and double *kārshāpaṇas* and the fourth class represents $\frac{1}{4}$ *kārshāpaṇas* of 14 : 4 and 14 : 9 grains. Secondly, the punch-marked silver coins consist of fourteen classes subdivided into different varieties. The great majority of these coins are full *kārshāpaṇas*, $\frac{1}{2}$ and $\frac{1}{4}$ *kārshāpaṇas* being much rarer. Excepting the first group of these coins struck on a standard of 55–6 grains, all the rest are struck on that of between 51.5 and 52.5 grains. By contrast the *kārshāpaṇas* of the later Sanskrit works have the weight of 57.6 grains. Thirdly, the Pañchāla series of coins have four symbols on the

obverse and a number of stamps on the reverse : the Kośala coins have a new set of five symbols on the obverse and a characteristic device on the reverse : the coinage of the Nandas has a distinctively large fabric and secondary symbols besides the sun and a six-armed symbol on the obverse.

[23] Allan, op. cit., Introduction, p. lxxii. According to the contrary view (Durga Prasad, in *JASB* Vol. xxx, 1934, *Numismatic Supplement*, pp. 16ff) the punch-marks on the coins represent Tāntric symbols.

CHAPTER VI

THE MONARCHIC STATE—V. FINANCE

INTRODUCTORY

It is to the pre-Maurya period that we have to assign the first organized system of State finance known to our country's history. For the Vedic Age we have merely a confused account of receipts drawn by the king from the contributions of his subjects. In the *Dharmasūtras* and the *Arthaśāstra* by contrast the sources of the king's revenue are very much widened, and they include taxation under different heads and at standard rates. These authorities moreover provide a regular staff of officials for the assessment and collection of the taxes payable by the subjects as well as treasuries and store-houses for deposit of the king's receipts under different heads. Kauṭilya, again, introduces us to arrangements for regular presentation and auditing of the annual accounts. These developments have doubtless to be traced to the requirements of the new centralized State administration and the costly royal household to which the records of the pre-Maurya Age bear witness. Kauṭilya's references and statements prove the awareness of the authors of *Arthaśāstra* about the fundamental importance of finance in State offices. Of the *Arthaśāstra* category of seven *prakṛitis* or constituents of the State in the system of these authors (*KA* VIII 1), *kośa* or revenue forms a component part. According to Kauṭilya (I 12) *kośa* is the source of the army, both being essential instruments for the acquisition of dominion. In another place (II 8) Kauṭilya observes that all State undertakings depend upon *kośa* which must, therefore, be attended to by the king.[1]

SOURCES OF INFORMATION

The pre-Maurya period introduces us, as we have observed before (Chapter III), to a system of official records known for the first time to our ancient history. Among the records bearing specifically upon the State's finances in Kauṭilya's work we may first mention the revenue-roll of the whole rural area, which was prepared by the *samāhartā* or the chief revenue officer (II 35). This contained a classified list of the taxable villages (with the amount of taxes payable by them under various heads) and a list of the tax-free villages. From the fact that the *samāhartā* was required (II 6) to be conversant with the items of the State receipts as well as of State expenditure but also was expected to increase the income and diminish the expenditure, we can further infer that he had to prepare a comprehensive statement of the State's income and expenditure every year, or, to use modern parlance, to frame the annual budget estimates. Reference may next be made to the register of the *akshapaṭalādhyaksha* (II 7) which contained *inter alia* various items of receipts and disbursements by the king and his officials. Further, the *adhyakshas* prepared (II 7) annual statements of accounts of their respective offices which were submitted on a fixed date to the State Record and Accounts Office (*akshapaṭala*), and the officer-in-charge of the State treasuries and store-houses maintained inventories of the articles in their charge (II 11, 15). Of this elaborate system of State records and registers belonging to the pre-Maurya period not a trace has come down to us.

Among the extant sources, the most important is Kauṭilya's *Arthaśāstra*, which contains the most systematic and complete contemporary account of finance and its administration. Next come the *Dharmasūtras* with a much less complete account of the branch of State receipts under different heads. The scattered references in other sources are of great value in furnishing independent and evidently realistic evidence of the current financial arrangements. In a general work of this nature it is not possible to enter into details of this complex subject. We shall concentrate our attention instead on its most important items.

FINANCES OF THE MONARCHIC STATE

The creation of a system of State finance dates from the pre-Maurya period. We may summarize its chief features under three heads : (a) State receipts and disbursements, (b) State treasuries and store-houses, and (c) auditing and accounting of the State revenues.

A. STATE RECEIPTS AND DISBURSEMENTS

As regards the branch of State receipts, a classified list of sources of the State's income is given by Kauṭilya with his characteristic thoroughness. The three most important items of taxation known to our sources are the land-revenue, the tax on artisans and the tax on traders. In the first place, the land-revenue (*bhāga*) was assessed directly on the holdings of individual cultivators : it consisted principally of a share of the agricultural produce, which was fixed in the *Dharmasūtras* at the uniform rate of one-sixth or else at rates varying from one-sixth to one-tenth : it was assessed by one or other of the methods of appraisement of the standing crops, or of measurement of the fields. The *bhāga* was supplemented by the levy of irregular cesses. An additional burden was imposed upon the villagers in the shape of forced labour, which was required for the purposes of civil as well as military administration. Secondly, the tax on artisans was levied in the form of a fixed service or payment every month (*Dharmasūtras*) or a levy in cash on terms unknown to us (Kauṭilya's *Arthaśāstra*). Thirdly, we notice a great variation in the methods of levying customs duties (*śulka*) on merchandise in the *Dharmasūtras*. In Kauṭilya's work we find that the *śulka* was levied upon merchants at various check-posts as well as inside the city, the city toll-house (*śulkaśālā*) being placed in charge of a special officer called the *śulkādhyaksha*. Other officers were charged with the collection of duty on salt and on goods arriving at the ports. The duties were assessed in cash evidently after valuation by experts. The rates varied according to the nature of the article. The most complete arrangement was made for collection of *śulka* at the city toll-house. This was intended to ensure complete security against evasion of the tax by merchants, while securing for the public the benefit of sale at a fixed price and for the merchants that of a bonded warehouse, where the goods could be kept for sale before payment of the *śulka*. The levy of benevolences and the employment of various questionable methods of force and fraud are recommended by Kauṭilya to a king faced with a financial crisis.

In the next place Kauṭilya requires the officer-in-charge of the State records and accounts to enter the items of expenditure relating to all government offices in his register. In this list were doubtless included the requisitions in cash or in kind, which, as we learn in other contexts, were drawn by the *adhyakshas* for running their offices. A heavier item of expenditure consisted of the cash salaries drawn by a large body of civil and military officials included in the king's Civil List.

In the last place Kauṭilya's general statements about the duties of the two important revenue officers called the *sannidhātā* and the *samāhartā* give us a clue to the methods of administration of State receipts and disbursements in use at that time. It would appear that the *sannidhātā* was expected to have at his command statistics of the State revenue and expenditure for many years past. We may further infer that the *samāhartā* was required to prepare some kind of financial estimates for the current year, for which the data collected by the *sannidhātā* as already indicated would be of the greatest help.

1. *Land-revenue.*

From the Vedic *Saṁhitās* and the *Brāhmaṇās* we learn that the subjects paid their contribution called *bali* to the king. The hint is conveyed that the contributions consisted of a share of the agricultural produce as well as the domestic animals belonging to the cultivators. In the *Dharmasūtras* the agricultural as well as the non-agricultural receipts from the cultivators are assessed for the king's revenue. Kauṭilya's classified list of sources of the king's income (II 7) includes the king's share of the agricultural produce (*bhāga*) and the net output of the State farms (*sītā*) and minor receipts from agriculturists. The *Dharmasūtras* as well as the *Arthaśāstra* contain other important references to the king's dues from the cultivators.[2]

The *Dharmasūtras* are silent about the methods of assessment of the land-revenue. This omission is made good by our other sources. In Kauṭilya's *Arthaśāstra* (II 35) we are told how the fields and gardens of different categories within the village limits were measured by the *gopa* or the officer-in-charge of five or ten villages and recorded in his register. We also learn how test inquiries were held into the area (*māna*) as well as into the gross produce of fields by selected spies deputed by the *samāhartā*. The *Jātakas* introduce us to a *rajjuggāhaka amachcha* (an officer holding the ropes for measurement) or more vaguely the *rājakammakaras* ('the king's men') who visited villages for the measurement of fields. How the official measurement of fields was immediately followed by an appeal for exemption from the land-revenue (*bali*) for a particular family is told in a particular *Jātaka* story. It may be concluded from the above lists of references that the land revenue was assessed by the State on the separate holdings of the cultivators, that a special class of officials called *balipaṭiggāhakas* and *balisādhakas* was employed for its collection, that the assessment was made by the method of appraisement of the standing crops or else by measurement of the fields. It may be also concluded that the land-revenue consisting of a share of the agricultural produce was fixed at a standard rate or else at different rates (evidently for different classes of soils) on a sliding scale.[3]

A notable feature of Kauṭilya's land-revenue policy is the distinction drawn between the revenue-payers and the revenue-free. In Kauṭilya's *Arthaśāstra* (II 35) the *gopa* was required to enter both tax-payers and tax-free persons in his register of holdings (*gṛihas*), while the *samāhartā* was expected to send out spies for making an inquest into the holdings under the heads of income (*bhoga*) and revenue remissions (*parihāra*). At the time of development of the waste lands, as we have seen, the fields were divided among the taxable classes and the lands were granted revenue-free to selected Brāhmaṇas and officials. According to the strict clause of law relating to the sale of immovable properties in Kauṭilya's work (III 9), tax-payers and tax-free persons could sell or mortgage their property only to their respective classes (*vargas*), and the tax-payers were even forbidden to enter the tax-free villages.

2. *Compulsory service of villagers*

The records of this period refer for the first time not only to the levy of various irregular cesses on the cultivators by the State authority, but also to its exaction of compulsory service (technically called *vishṭi*) from them. We can glean a fairly complete account of the application of *vishṭi* from the scattered references in Kauṭilya's work. That the *vishṭi* was a normal feature of village economy in Kauṭilya's time is proved by his provision for entry of this item in the *samāhartā's* Grand Register of villages (II 35). This is also indicated by the author's reference (II 1) to the increase of *vishṭi* as a natural corollary of undisturbed cultivation of fields by the peasantry in newly colonized areas. The *vishṭi* was evidently assessed on the unit of the tenements (*gṛihas*) in the villages. We hear of the *vishṭi* due from each *gṛiha* being included in the *gopa's* register. The *vishṭi* was evidently employed by the State for the needs of its civil as well as military administration. It was utilized, for instance, in the State factories (*karmāntas*), its amount being entered under each head by the State records officer (*akshapaṭalādhyaksha*) in his Grand Register (II 7). The group collectively known as *vishṭi* at the State store-house (*koshṭhāgāra*) consisted of sweepers, watchmen, persons engaged for weighing and measuring raw material and marketing of the finished product as well as of slaves and free labourers (II 15). At the battle-field the *vishṭi* was employed for guarding the camp and for removing the wounded(x 4). It is also significant that the *vishṭi* is reckoned among the factors contributing to the success of the policy of attack (x 2) as well as of the siege of a fortress (XIII 4). Regular payment of provisions and other allowances to the labourers performing compulsory service is probably hinted at in Kauṭilya's inclusion of the *vishṭi* under the head of *vyayaśarīra* or the sources of State expenditure (II 6). In particular we read in one place (II 12) how the *vishṭi* folk enjoyed the privilege of manufacturing salt, free from duty, for their own daily consumption. That the levy of compulsory service, nevertheless, was a potential source of oppression to the cultivators is indicated by other factors. Kauṭilya (II 1), while devising his plan for the colonization of the rural area, admonishes the king to restore agriculture which has been ruined through the exaction of *vishṭi*, fines and illegal cesses. The *Jātaka* stories refer to the levy of compulsory service on subjects by the king as a normal practice of the times. We are told, for instance, in one place (No. 12, pp. 149–50) how all the subjects of a king of Vārāṇasī were compelled by the reigning king to accompany him on his hunting expeditions to the neglect of their own occupations, and how they eventually persuaded the king by driving a great herd of deer into his pleasance to be spared from this service.

3. *Other sources of revenues*

The Vedic authorities are completely silent about sources of revenue other than those levied upon the cultivators. It is in the pre-Maurya period that we first come across taxes levied upon industry and trade accompanying its economic progress. The tax on artisans according to the description of the *Dharmasūtras* is levied in the primitive form of a fixed service for the king per month or a monthly tax in lieu thereof. This implies some kind of registration of the artisans, especially in the big cities, and a corresponding administrative machinery for collection of the royal dues. By contrast Kauṭilya includes the item *kāruśilpi-gaṇa* or guild of artisans and craftsmen in his classified list of the sources of revenue. This evidently means that the tax was levied collectively on the guilds, the distribution of the burden among the members being probably left to the direction of the governing body. To this we have to add that artisans of superior and inferior categories were assessed at different rates for benevolences during the king's financial emergency (II 35). These two factors, namely, collective assessment of guilds in normal times and a double rate of assessment in emergencies seem to be the characteristic features of the taxation of artisans in the *Arthaśāstra* system.[4]

More complex than the above is the history of the taxes on trade during the pre-Maurya period. Three different methods of assessment are mentioned by as many *Dharmasūtra* authorities (Gautama, Vasishṭha and Baudhāyana), the tax being assessed in kind as well as in cash or else wholly in cash, and the rate of assessment being held to vary according to the nature of the merchandise.[5] The scattered references in Kauṭilya's *Arthaśāstra* enable us to reconstruct the methods of assessment upon traders known to the advanced administrations of the time.

Firstly, the duties were levied at the ports, at check-posts on rivers and on the sea-coast, at the ferries, at the frontier, and, last but not the least, within the urban area. The duties on merchandise were assessed in cash, the valuation being probably declared by appraisers. In the case of imports of precious materials the valuation is expressly required to be made by experts. *Secondly*, special *adhyakshas* and other officers were employed for the collection of the different duties. Such are the *lavaṇādhyaksha* who collected the excise and customs duties on salt, the *nāvādhyaksha* who levied duties at the ports, the *antapāla*, and the *śulkādhyaksha* who levied the duties on merchandise at the city toll-house. Thirdly, the duties were levied on a sliding scale.[6]

We have a fairly complete description of the working of the machinery for collection of the *śulka* upon merchandise in the metropolitan cities of the time in Kauṭilya's work. The work was entrusted to an officer called the *śulkādhyaksha* (the customs officer). The *śulkādhyaksha*, we are told, was to erect a toll-house (*śulkaśālā*) marked with a distinctive flag near the principal gateway of the city. Merchants from outside proceeding to the city were required to have their goods examined at the frontier by the *antapāla* ('Warden of the Marches') who fixed his official stamp on the merchandise after examining it. Upon the arrival of the merchants at the city their names and starting-places and the quantity of their merchandise together with the authority affixing the official stamp, were recorded by four or five toll-collectors at the toll-house : penalties ranging from a small fine to imprisonment for a short term were imposed for evading or forging or tampering with the official stamp. For understating the quantity or value of the merchandise as well as for fraudulent concealment of valuable goods a fine of eight times the amount of the *śulka* was the penalty. The same penalty was imposed for by-passing the city toll-house without payment of the *śulka*, spies in different disguises being employed for detection of the offenders. The *śulka* was evidently paid after the sale of the merchandise by public proclamation at the toll-house, thus ensuring for the merchants some of the advantages of the present system of bonded warehouses in the shape of payment of the duty after the sale. The Kauṭilyan tariff policy is marked by moderation and good sense. A large number of articles was exempted from the *śulka* : in this list are included articles intended for marriages, those taken by a bride from her parents to her husband, those meant as presents, those intended for the purpose of sacrifice, for the worship of the gods, or for certain ceremonies, or for treatment of women at the time of delivery. On the other hand the export of prohibited articles was punished with fines and confiscation of the merchandise. The general rule was laid down that whatever merchandise was a source of affliction to the kingdom or was useless should be destroyed, while rare agricultural seeds and whatever (else) was highly beneficial were to be exempted from the *śulka*.

We have a slight corroboration of the above arrangements for collection of the *śulka* in other sources. These sources refer to the State toll-house (*śulkaśālā*) and the officer (*śaulkika*) in charge of it, to the establishment of check-posts by kings, and to the assessment of goods for *śulka* at specified rates.[7]

4. *Extraordinary revenue*

It is an index of the thoroughness of the financial arrangements in Kauṭilya's system that rules are laid down (v 3) for providing extraordinary revenue during the king's financial emergency. These rules involve, *firstly*, an enhancement of the normal rates of assessment under the name of benevolences (*praṇaya*), and *secondly* its supplementation through a deliberate policy of force and fraud in the interest of the State treasury. Of the first group of these rules it is enough to state that the benevolences were to be demanded from cultivators, dealers and breeders of domestic animals. The second group of rules, which should come into force on failure of the first, requires to be illustrated with examples. The *samāhartā* was employed as an agent for raising subscriptions from the public, and other agents were employed for confiscation of the property of *saṁghas*, of heretics and of temples on suitable pretexts. The *devatādhyaksha* or the *adhyaksha* in charge of temples was to collect the temple treasures and appropriate them in the same fraudulent fashion. He was likewise to set up all of a sudden in one night a 'god' or a platform for a holy tree and arrange for prayers and merry gatherings to obtain funds thereby. The State examiner of coins (*rūpadarśaka*) was to collect bullion from the public by fraudulent means, and the State goldsmith (*sauvarṇika*) collected ingots of precious metals in the same fashion. A spy masquerading as a merchant was to make a fraudulent collection of the merchandise as well as loans and deposits from the public. Enemies of the State (*dūshyas*) and sinners were hauled up on trumped-up charges and punished with confiscation of their property.

Disbursement of State revenue

Compared with the full descriptions of the arrangements for collection of the revenue in Kauṭilya's work, we have a fragmentary and imperfect picture of the methods of its disbursement. We have an incomplete list of the items of State expenditure (*vyaya-śarīra*) in the context of Kauṭilya's description of the functions of the *samāhartā* (II 6). We are also told (II 7) that the items of expenditure relating to all the State offices (*adhikaraṇas*) are to be entered by the officer-in-charge of the State records and accounts (*akshapaṭalādhyaksha*) in his Grand Register. This is explained by the requisitions in cash and in kind drawn, as we learn from other passages, by such officers as the *koshṭhāgārādhyaksha*, *go'dhyaksha* and *aśvādhyaksha* (q.v.).

In the chapter last quoted (II 7) reference is made to four methods of payment, namely, by the day, by the fortnight, month and year and in two extra ways. With these may be compared the similar methods laid down for the guidance of the different *adhyakshas* above mentioned. A large branch of disbursements of the State revenues not accounted for in the list of the *vyaya-śarīra* referred to above consists of cash payments made to the various grades of State officials and others included in the king's Civil List.

General administration of State receipts and disbursements

From a number of data supplied by Kauṭilya, we are in a position to describe the lines of general administration of the State revenue by the king and his officials in the *Arthaśāstra* system. We learn (I 19) that the king was expected to hear reports of income and expenditure at a fixed watch of the day in the course of his daily and nightly routine. This was evidently intended to keep the king in daily touch with the financial situation of his kingdom. In another context (II 6) the author, while summing up the duties of the *samāhartā* states that he should follow the policy of increasing the income and diminishing the expenditure or the reverse policy (no doubt with a view to increasing income in the long run). This suggests that the *samāhartā* was required to prepare some kind of financial estimates of the income and expenditure on the approved principle of creating an immediate or a prospective surplus. In the third place the author concludes his account of the functions of the *sannidhātā* (II 5) with the remark that this officer should be conversant with the State's income from inside and outside the kingdom, that he should be able to answer questions about the State's income for the last hundred years, and that he should be able to state the net balance left after meeting the expenditure. We may infer from the above that the *sannidhātā* was expected to have ready at his command the statistics of the State income and expenditure for many years past. These data would evidently be utilized by the *samāhartā* for preparing his estimates suggested above. The revenue and other burdens along with their exemptions in respect of each village were entered by the *samāhartā* in his Grand Register of villages to which reference has been made earlier (Chapter III).

B. STATE TREASURIES AND STORE-HOUSES

The expansion of the branches of revenue which we have noticed as the characteristic of this Age, led to the creation of State treasuries (*kośagṛiha*) and store-houses (*koshṭhāgāra* or *bhāṇḍāgāra*) under the immediate charge of appropriate officers. The *bhāṇḍāgārika* or the officer-in-charge of the treasury as well as of the store-house is a familiar figure in the *Jātaka* stories.[8] That this office along with that of the *senāpati* was held to be the key position in the State administration is indicated by the fact that a king on ascending the throne is often mentioned as appointing the *senāpati* and the *bhāṇḍāgārika*. Reference in a *Jātaka* story (No. 445, p. 43) to this office as carrying with it the judgeship of all the guilds (*sakalaseṇīnam vichāranaraham* *bhāṇḍāgārikaṭṭhānam*) proves its close connexion with the guilds, but the point is left unexplained. The working of the above offices is described by Kauṭilya with his usual thoroughness. At the time of development of the waste lands a site was to be fixed (II 4) for the above two offices in the layout of the metropolitan city. Moreover a sub-treasury was to be created (II 3) at the *sthāniya* ('the headquarters of a group of eight hundred villages') for receipt of the government dues (*samudayasthāna*). The construction and general supervision of the *kośagṛiha* and the *koshṭhāgāra* along with the State warehouses (*paṇyagṛiha* and *kupyagṛiha*) were entrusted (II 5) to the *sannidhātā*, an officer belonging to Class I of the king's Civil List, while separate *adhyakshas* were placed in charge of these and other offices. We may here summarize the author's account of the administration of these offices. *Firstly*, the construction as well as equipment of the *kośagṛiha* and the *koshṭhāgāra* was to be carried out by the *sannidhātā* (II 5) according to well defined plans. All the offices, for instance, were to be provided with amenities like resting-places and bathrooms and were to be protected against fire and poison as well as theft. The *kośagṛiha*, we are told particularly, was to be built of bricks, and it was to be erected on an underground three-storeyed chamber built of timber within an excavated area of which the sides and the bottom were to be protected by stones. A palatial mansion was to be built at the frontier of the kingdom by prisoners condemned to death for the deposit of treasures to be utilized at the time of danger. The object evidently was to ensure the utmost secrecy about the place where treasure was deposited. The *koshṭhāgāra* was to be equipped with a rain-gauge (*varshamāna*) consisting of a hole with a mouth of standard size, namely, one *aratni* or twenty-four digits. Equal care was shown (II 11) in testing the contents of the State treasury. Of the four groups of these contents, jewels (*ratna*), other precious as well as cheap products (*sāra* and *phalgu*) and the forest products (*kupya*) were to be examined with the help of experts. The coins (*hiraṇya*) were to be received after being found correct by the examiner of coins. Fresh and pure food-grains were to be received in full measure. Dishonest practices in presenting the jewels and the like as well as in presentation of counterfeit coins as well as impure and old food-grains and so forth were to be visited with appropriate penalties. The ministerial staff (*yuktas* and *upayuktas*) guilty of theft and the officer-in-charge who caused loss of revenue were to be properly punished.

In the second place the *kośādhyaksha* was charged with a heavy list of duties in the administration of the State treasury. The list of products specified by name as being fit for deposit in the royal treasury is given under four heads comprising pearls (*mauktika*), gems (*ratnas*), precious and cheap articles (*sāra* and *phalgu*), and forest products (*kupya*).

At the end of the chapter above mentioned (II 11) the *kośādhyaksha* is asked to arrange for expert examination of these five groups and to acquaint himself with the characteristics of other gems as well as with their treatment and preservation.

In the third place the *koshṭhāgārādhyaksha* was entrusted (II 15) with the equally heavy task of administration of the State warehouses. He received deposits of the king's revenue in kind consisting of regular taxes as well as of irregular cesses: he deposited the proceeds of commercial dealings in food-grains, the chance findings, the balance left over under specific heads of expenditure and even the excess gained in the process of weighing the king's dues. The classes of objects committed to his charge are mentioned as consisting of food-grains, oils, alkalies, salt, honey and vegetarian juices, acid foods and liquids, and spices. These objects were prepared by him for human and animal consumption. The operations included cooking of the food-grains, extraction of oil from the oil-seeds, the manufacture of fabrics from cotton and linen and so forth. The *koshṭhāgārādhyaksha* was required to follow standard tables of gain or loss in weight of the products in the process of their preparation. He distributed rations among men and women of various ranks as well as among animals of different varieties in standard qualities. He was to equip himself with a complete staff of labourers and the stock of implements and appliances needed for his use. He took steps for the preservation of food-grains, alkalies, oils and salt.

C. ACCOUNTING AND AUDIT OF THE STATE ACCOUNTS

No branch of State finance in the *Arthaśāstra* system is so surprising for its modern aspect as that of audit and accounts. The procedure for keeping the accounts seems to be as follows. *In the first place*, the *samāhartā* was to inspect (II 6) the collective groups of receipts and disbursements of the State revenues. The former list is classified under seven broad heads with numerous sub-divisions so as to comprise all the principal sources of the State's income. The latter list consists of a number of items without, however, including the cost of the king's civil and military establishments. The *samāhartā*, we are further told in the same context, was to take note of a number of minor items of the State's income and expenditure classified under six heads. These are called 'what has to be done' and 'what remains to be done', the receipts and the disbursements and the net balance. We may conclude from the above that the *samāhartā* was expected to maintain exhaustive accounts of the State's income and expenditure under major as well as minor heads. Reference is made in this context to what may be called the official year as well as season, month and day which were counted from the date of the king's consecration. This was evidently intended to be utilized by the *samāhartā* for his record of State accounts.

In the second place the *akshapaṭalādhyaksha* was required (II 7) to enter in his Grand Register the accounts of the State workshops (*karmāntas*) of the State officials and of the royal family as well as of those coming within the range of the king's foreign relations. Furthermore, the *akshapaṭalādhyaksha* was to fix up the accounts of all the State offices (*adhikaraṇas*) under the six heads above mentioned at the time of appointment of the *adhyakshas* in charge of the same. The accounting year, we are told in the same connexion, consisted of 354 days and nights ending with the full-moon day in the month of *Āshāḍha*. The clerks made calculations of the pay for the whole year or its part according to the amount of work done. The strictness of official procedure is illustrated by the fact that the accountants are warned against committing a number of faults and are punished for causing loss of revenue. From another reference (v 1) we learn that the accountants were included in the king's Civil List as regular officers of State. An equally thorough procedure is laid down in Kauṭilya's work (II 7) for the auditing of State accounts. An audit officer assisted by a staff of superior and inferior clerks (*kārmikas* and *karaṇikas*) was in charge of the operations. The accountants were required to appear before him on the full-moon day of *Āshāḍha* (at the end of the accounting year). They were to bring with them statements of accounts in sealed covers as well as the net balance left over after meeting the expenditure. The audit officer was to verify their statements and then take charge of the net balance. The *adhyakshas* at the time of presenting the accounts were to be very closely watched by the audit officer. The accounts were prepared for varying periods of time, namely, one day, five days, a fortnight, a month, four months and the whole year. An elaborate list of items is mentioned for entry under the heads income (*āya*), expenditure (*vyaya*) and the net balance (*nīvi*). A long list of penalties is prescribed for various offences such as failure of the accountants to appear in time or making their appearance without the accounts, for the *adhyakshas* delaying to present their accounts beyond the days of grace, for the clerks disregarding rules for the preparation of accounts and so forth.

No corroboration of the above elaborate account is found in our other sources, historical or literary. We have terms for accounts and accountants, for discharge or falsification of accounts in Pāṇini.[9] But these are not specifically applied to State accounts.

CHAPTER VI

NOTES

[1] This chapter is mainly based upon the relevant portions of the author's work *Contributions to the history of the Hindu revenue system* (Calcutta, 1929) which seeks to present a comprehensive survey of the whole subject from the Vedic Age down to the end of the Middle Ages.

[2] We give below a summary of the important references. *List of king's receipts from cultivators*: Gaut. x 27, Vish. III 25 ($\frac{1}{6}$th of the trees, meat, honey, clarified butter, perfumes, medicinal plants, salt and other alkalies, rivers, roots, fruits, leaves, hides, articles manufactured from bamboo slips, earthenware and stoneware). *Classified list of king's receipts in KA* (II 6): (two groups of the king's receipts distinguished by the technical terms *rāshṭra* and *vraja*, meaning receipts from the rural area and the pasture lands respectively: the former group comprises the items *bhāga* or the king's share of the agricultural produce and *sītā* or net output of the king's farms as well as various irregular cesses: the latter group comprises income from the king's establishment of cattle, buffaloes, goats and sheep, horses and mules). *List of assessees for the*

levy of benevolences in the king's emergency in KA v 3 : growers of food-grains, textile materials, medicines and fragrant substances, flowers and fruits, bamboos and timber, as well as slayers of animals for meat, gatherers of tusks and skins of dead animals and breeders of different types of domestic animals. *Items included in samāhartā's Grand Register of villages in KA* ii 35 : food-grains, domestic animals, cash, and raw products.

[3] The subject is treated more fully in *HRS* pp. 53ff. Some important references are given below. *Dharmasūtra ref. to land-revenue rates*: (a) Gaut. x 24 (rate of $\frac{1}{6}$th or $\frac{1}{8}$th or $\frac{1}{12}$th); (b) Vas. i 42, Vish. iii 22–3 (fixed rate of $\frac{1}{12}$th). *Jāt. refs. to the tax and its assessors and collectors*: (a) No. 155, p. 17 (*yakkha* rewarded with appointment as *balipaṭiggāhaka*); (b) No. 276, p. 376 (story of measurement of a field by a model *rajjuggāhaka-amachcha* who uses the primitive method of tying a cord to a stick of which one end is given to the *khettasāmī* or owner of the field, and the other is taken by himself: the stick tied to the end of the cord held by himself comes to a crab's hole, the other end being held by the *khettasāmī* or owner of the field : he reflects that if he puts his stick in a crab's hole the crab will perish, if he puts it on the other side the king's wealth will diminish, and if he puts it on this side the former will lose. In the end he puts the stick in the hole thus killing the crab) ; (c) No. 467, p. 169 (a king's officers come to a village to survey the fields : this is immediately followed by the successful appeal of a prince living with a merchant in the village to the king for remission of the *bali* tax on the family) ; (d) No. 520, p. 106 (*balisādhakas* visiting a village wantonly kill a calf for their meal). A possible ref. to official survey of village lands is found in the Pāṇinian term *kshetrakara* (iii 2.21) meaning, according to Dr. Agrawala (*India*, p. 410), an officer for surveying fields.

[4] For a fuller treatment of the whole subject see *HRS* pp. 98–9, 128. Chief refs. : (a) Gaut. X 31-3 artisans and those who live by manual labour as well as makers of boats and wheeled conveyances to perform one day's work every month for the king) ; (b) Vish. iii 32 (artisans and those who live by manual labour to perform work as above); (c) Vas. xix 28 (artisans to pay a monthly tax to the king) ; (d) *KA* ii 6 (*kāruśilpigaṇa* or the guild of artisans and craftsmen included under the revenue-head *rāshṭra* or the rural area) ; (f) *KA* v 2 (*mahākārus* or big artisans liable to *kara* or tax of 20 per cent and *kshudrakārus* or smaller artisans to a *kara* of 10 per cent in the king's emergency).

[5] The whole subject has been treated more fully in *HRS* pp. 81–2. *Chief refs. in Dharmasūtras*: (a) Gaut. x 26, ibid. 35 (king to levy duty of $\frac{1}{20}$th of merchandise along with one article in every month at less than the market rate); (b) Baudh. i 10.18. 14–15 (king to take from goods imported by sea a duty of 10 *paṇas* in the hundred together with a choice article and for other commodities duty varying according to their intrinsic value but not the choice article) ; (c) Vish. iii 29–30 (king to levy duty of $\frac{1}{10}$th on indigenous merchandise and $\frac{1}{20}$th on foreign merchandise).

[6] On the above, see also *HRS* pp. 68–81.

[7] *Chief refs.* (a) Pāṇ. iv 3.75 (*śulkaśālā* and *śaulkika*) ; (b) *Vin.* iii 4, *Jāt.* iv p. 139 (*suṅkaṭṭhāna*); (c) *Vin.* iii 52 (*suṅkaśālā* established by kings in public assembly halls, in halting places, on rivers and at village gateways for collection of customs duties) ; (d) Pāṇ. v 47 (commodity charged with *śulka* at the rate of $\frac{1}{5}$th) ; (e) *KA* ii 6 (*śulka*) included under revenue-head *durga* or fortified urban area).

[8] For refs. to *bhāṇḍāgārika* in the *Jātakas* see *Jāt. Index* s.v. *Treasurer.*

[9] Such terms are *gaṇana* and *kārmika* (Pāṇ. i 3.36) and *vigaṇana* and *avastara* (Pāṇ. iii 3.120). For some discussion on these terms, see Agrawala, op. cit., p. 415.

CHAPTER VII

THE MONARCHIC STATE—VI. LAW AND JUSTICE—POLICE AND JAILS

OUR information about the laws of the Vedic State is exceedingly scanty. It consists in fact of stray references in the Vedic *Saṁhitās* and the *Brāhmaṇas* to the contemporary laws of partition and inheritance as well as of adoption. The pre-Maurya Age is marked by the rise of a legal and judicial system for the first time in our country's history. This comprises the branches of law and legal procedure, of judicial administration, and of the institutions of State Police and Jails.

LAWS AND LAW-CODES AND LEGAL PROCEDURE

The law-codes of this Age are preserved, firstly, in the *Dharmasūtras* which are the works of the latest Vedic schools, and secondly, in the *Arthaśāstra* of Kauṭilya, the last and the greatest master of the science of polity in Ancient Indian history. The *Dharmasūtra* laws of the State, like those of the social order, are traced to a two-fold source, namely, the Vedas (with their auxiliaries) and approved custom. The fuller list of sources of State law in Kauṭilya (III 1) consists of the sacred canon (*dharma*, or more fully *Dharmaśāstra*), the current (*Arthaśāstra* ?) law (*vyavahāra* or more fully *vyavahārikaśāstra*), usage (*saṁsthā*), and reasoning (*nyāya*). Both the *Dharmasūtra* law-codes and the law-code of Kauṭilya (the sole representative of a lost type) claim to be binding upon all sections of the Aryan community irrespectively of geographical boundaries or the barriers of States. In effect they present before us two parallel bodies of State law, doubtless incorporating much of the laws in vogue at that time, but dominated by the ideas of their respective authors, namely, the Brāhmaṇa canonists and the technical writers on polity. The developed stage of the *Arthaśāstra* law-code is proved not only by Kauṭilya's full statements of the civil and the criminal laws, but also by advanced legal procedure. In Kauṭilya's work, moreover,. crimes are regarded throughout as offences against the king or the community, thus rendering the offender liable to punishment by the State. In contrast with the above the *Dharmasūtras* have a much slighter content of the State law as well as of legal procedure. What is more, they have preserved traces of the primitive conception of crimes as wrongs done to private individuals or their families, and punishable as such with compensation to the aggrieved party. In the *Dharmasūtras* crimes are likewise regarded as sins requiring penances for their expiation.[1]

However full the clauses of the State law might be in the *Dharmasūtra* and *Arthaśāstra* works, they required to be supplemented from time to time to suit the requirements of a growing community. This takes characteristically different forms in the two systems. In the *Dharmasūtra* texts we are told that the *parishat* ('council of the learned') should decide points of the sacred law in cases for which no rule has been given (Gaut. XXVIII 48), or on failure of the recognized sources of the law (Baudh. I 1.1.7). This furnishes a parallel of the Roman institution of the *responsa prudentium* or judgment of the learned for the purpose of supplementing the clauses of the ancient Code of the Twelve Tables. The *parishat* is to consist of persons learned in various branches of the Brahmanical canon.[2] By contrast Kauṭilya gives us, under the heading *Eradication of thorns of the rural and the urban areas* (or to put it more generally, the suppression of 'public enemies'), a separate body of laws for dealing with various crimes against the public interest.[3] The subject-matter of these laws may be summarized under the following heads:

Firstly, a select list of crimes against person and property (e.g. striking a person of high caste with hand or foot, adultery, and certain types of theft and robbery) which are punishable with death, or mutilation of the limbs or with a fine (IV 10);

Secondly, another list of crimes likewise against person and property (such as murder, certain types of theft, incendiarism and breaking down dams) for which the penalty is death with or without torture (IV 11);

Thirdly, a list of offences relating to sex which are punishable with death, mutilation of limbs or fine (IV 12);

Fourthly, a list of miscellaneous offences for which the punishment is banishment, mutilation of the limbs or fine (IV 13).

Comparing the two sets of State law in Kauṭilya's *Arthaśāstra*, we find that they are both held to have been framed by masters of the science of polity. In fact, Kauṭilya quotes in one place (IV 1) the great sages of the past as authorities for a set of laws decreeing punishment by death with or without torture for certain crimes. But while the *dharmasthas* who are charged with administration of the normal State law are required to follow a strict judicial procedure, the *pradeshṭā* and the *samāhartā* who had the duty of administering the abnormal State law are invested with plenary police powers for arresting the criminals and passing summary sentences on them. We have here the nearest approach in our ancient judicial systems to the body of administrative laws and courts known to some Western States of much later times.

One result of the enormous development of the activities of the State to which reference has been made in Chapters III–IV was that the king was almost automatically invested with the right of issuing executive orders or edicts having the force of laws. The scope of these edicts appears from the records of our period to have been sufficiently extensive. Reference is made to sundry rules which were issued by the king and his officers for regulation of family life, for the control of popular amusements, for suppression of popular vices, for the supervision of traders and artisans and even for protection of animal life (see Chapter IV). It will be sufficient to quote here two extracts. In Kauṭilya's *Arthaśāstra* (II 1ff, XIII 5) the king is credited with carrying into effect multipurpose schemes for the colonization of waste lands as well as for the settlement of a newly acquired territory. In a *Jātaka* story (No. 399) we read how a king at first issued for a just reason a decree for banishment of all *pabbajitas* ('wanderers') from his *vijita* (kingdom), but was afterwards persuaded to decree the recall of the Brāhmaṇas and *Śramaṇas* from exile.[4]

We have referred above to the recognition of customs or conventions as a source of State law along with the sacred canon in both the *Dharmasūtra* and *Arthaśāstra* systems. The customs and practices are chiefly those of groups (or as we may call them in modern technical language, group-personalities), which form a conspicuous feature of this Age. The groups are mainly of three types, namely, those belonging to distinct regions (*deśas*) and villages (*grāmas*), to castes (*jātis*) and families (*kulas*) and to functional groups (*saṁghas*). The rules given in the *Dharmasūtras* on this point are of general application. We are thus told that the customs (*dharma*) of *deśa*, *jāti* and *kula* along with the Vedas and their auxiliaries are to be regarded as authoritative for the king's administration of justice (Gaut. XI 19f), and that the four castes are to be fixed by the king in their respective duties after considering the usages (*dharma*) of *deśa*, *jāti* and *kula* (Vas. IX 7–10). A concrete illustration of this general rule is found in Kauṭilya's *Arthaśāstra* (II 7) requiring the laws of partition and inheritance to follow the *dharma* of *deśa*, *jāti*, *saṁgha* and *grāma*. The righteous practices (*dharma*), the methods of judicial procedure (*vyavahāra*) and the customs (*charitra*) of the *deśa*, the *grāma*, the *jāti*, the *kula* and the *saṁgha* are required to be entered by the *akshapaṭalādhyaksha* in his Grand Register (*KA* II 7) evidently for the purpose of their application in the king's court.

In contrast with the ample information available in the *Dharmasūtras* and the *Arthaśāstra* about the bodies of their State law, the material from the other sources is very scanty. The early Buddhist literature, as we shall presently see, throws some light upon the contemporary administration of justice by the State and other authorities, but is almost completely silent about the laws in force at that time. Pāṇini refers to the two well-known sources of law after the *Smṛitis* (namely, the sacred canon and custom or usage) as well as the law of inheritance and of crimes. He mentions likewise the terms for plaintiff and defendant as well as witnesses in a suit.[5] More important is the evidence of stories in the Pali canon. Two of these stories (*Vin.* I 73 4, ibid. II 190–1) contain concrete illustrations of the application of the law of treason and of the law bearing on desertion from military service that was supposed to be current in the Magadha kingdom under Bimbisāra, a contemporary of the Buddha. The third story (ibid. II; *Chullavagga* VI 4. 9) gives us an equally concrete example of the application of the law of sale of immovable property in the kingdom of Kośala under Prasenajit (Pali *Pasenadi*), another of Buddha's contemporaries.[6]

The extreme severity of the penal law alike in the *Dharmasūtra* and *Arthaśāstra* codes and in scattered references in other works has been frequently noticed by scholars. This is also reflected in the *Jātaka* stories.[7] It may be explained that this has been the general characteristic of all ancient and even medieval laws known to history. In so far as the pre-Maurya Age is concerned it may be suggested that there were several special factors contributing to the result. The intensive programme of security of the subjects and of the State in the advanced systems could not but lead to the issue of a stern penal code for its enforcement. Furthermore, the authors of the *Dharmasūtras* in trying to develop their goal of the Brahmanical pattern-State were required to meet the challenge offered to their pretentions by the rise of new heretical sects. It is possible that they were driven to adopt the severe moral and spiritual sanctions and the strict clauses of the law of penances in view of the fact that the Brāhmaṇas were excluded by the normal rules of their occupation from the functions of ruling and fighting. They had, again, no organized church system to support their claims. Whatever that may be, it is necessary to refer to some humanitarian trends of penal legislation during this period. In a list of persons who are to be exempted from torture for extorting confessions, Kauṭilya includes (IV 8) not only such persons as minors, the aged and the diseased, those who are intoxicated or mad, those who are fatigued from various causes and those who are suffering from digestive complaints, but also women who are pregnant or had a delivery a month earlier. In another place (IV 11) the author after quoting the authority of high-souled sages for the penalty of death with torture observes that the simple death sentence is proper when the crime had been committed without undue cruelty.

JUDICIARY AND JUDICIAL ADMINISTRATION

1. STATE COURTS

The beginnings of the State administration of justice as of the executive administration, go back to the Vedic Age. The exercise of criminal jurisdiction by kings is hinted at in some passages of the *Ṛigveda*. In the later Vedic *Saṁhitās* and the *Brāhmaṇas* the old Vedic tribal council called the *sabhā* appears to have developed into the king's court as well as his council. Reference is made in other passages to a subordinate judicial officer called the *madhyamaśi*. A later Vedic passage seems to show that the offenders of the first three classes were tried for capital crimes by the king's officers with the help of assessors of their respective castes, while the Śūdra offenders were tried by the king's officers alone. It is, however, the pre-Maurya Age that marks the beginning of an epoch in the history of our ancient judicial administration as of jurisprudence. In the *Dharmasūtra* and *Arthaśāstra* systems the king's justice is held to prevail throughout his territory. Indeed the king is assumed to exercise exclusive jurisdiction not only over the whole sphere of civil and criminal laws, but also over the extensive branch of social regulations. The king exercises supreme jurisdiction even in the sphere of penitential law, the only exception being, as we shall presently see, the *purohita's* right of passing heavy sentences on Brāhmaṇa transgressors of caste rules. We have a substantial corroboration of the above in the realistic accounts of the early Buddhist literature, which contemplate the king and his officers as exercising undisputed jurisdiction over the land, private courts being allowed to function only within a limited sphere.

The machinery for the administration of State justice consists of the court presided over by the king (or his substitute), and a number of subordinate courts. The King's Court, as it may be called, has a regular constitution in the *Dharmasūtras*. The king (or his substitute) is assisted by a judge (*prāḍvivāka*) or a minister (*mantrin*) and assessors (*sabhyas* or *sabhāsads*) as well as an unofficial body of Brāhmaṇa advisers. In Kauṭilya's work (I 19) the king giving public audience is advised to take ascetics and learned men as his associates in certain special cases, no doubt for the purpose of helping him in his judgment: but otherwise we have no information of the constitution of the King's Court.[8] From incidental references in early Buddhist literature we learn that the king habitually sat at the court-house for the decision of civil and criminal suits. In the *Jātaka* stories in particular we hear of *amachchas* testing the fitness of a prince for succession to the throne by taking him to the court-house and asking him to decide between right and wrong judgments; but as in the *Arthaśāstra* there is no hint of the king's association with assessors or others.[9]

We now come to the working of the subordinate State courts. This branch of the State judiciary is marked in Kauṭilya's *Arthaśāstra* by the following features. Firstly, we have a dichotomy between the rural and urban branches of the judicial administration, the *dharmasthas* or judges in the rural areas being the counterpart of the *pauravyavahārika* or the town judge and both being distinguished from the corresponding officers of the executive administration, namely the *samāhartā* in the rural and the *nāgarika* in the urban areas. We have little knowledge of the court of the *pauravyavahārika*. We know only that a fixed site was reserved for his court in the layout of the city (ibid. II 4), and that he belonged to Class III among the officers in the king's Civil List (ibid. V 3). We have fuller information about the *dharmasthas* whose courts were located at the junctions of two territories (*janapadas*) and at the headquarters of 800, 400 and 10 villages called *sthānīya*, *saṁgrahaṇa* and *droṇamukha* respectively. The first class of courts probably dealt chiefly with suits between subjects of two adjoining *janapadas*. In the three other classes of courts the *dharmasthas* deciding judicial matters at their respective headquarters probably formed three grades, or else acted as itinerant justices. The court of the *dharmasthas* was constituted in benches of three of these officers, who were all required to be equipped with the *amātya's* qualifications (III 1). This ensured the advantage of joint consultation of experts for the decision of suits. The *dharmasthas* evidently administered civil as well as criminal justice in accordance with the laws laid down in the appropriate section (Section III) bearing the title *dharmasthīya* ('relating to the *dharmasthas*').

The *dharmasthas* were required to follow strict methods of judicial procedure, failing which they were liable to various penalties ranging from fines to dismissal from office (IV 9). For visiting innocent persons with fines or corporal punishment a *dharmastha* was liable to double the amount of the penalty inflicted by himself (ibid.). A *dharmastha* suspected of taking bribes was to be watched by spies under the direction of the *samāhartā*, and he was banished or dismissed from office if found guilty (IV 4).[10]

The *Dharmasūtras* are almost completely silent about the working of the subordinate State courts. In the early Buddhist literature we are introduced to a distinct class of judicial officers called *vinichchayamahāmattas* or *vohāramahāmattas* in the Pali canonical texts and *vinichchayāmachchas* in the *Jātakas*. These officers are regularly described as deciding cases of litigants at the court (*vinichchayaṭṭhāna*). The organization of the judicial administration, however, is much looser than in the *Arthaśāstra* system. We have stories of a uniform pattern which show how an *uparāja* (crown prince) or a *purohita* or even an ascetic formally reversed the decisions of corrupt judges at the request of the aggrieved parties, and how their act was subsequently approved by the king (No. 220, p. 187; No. 542, p. 131, etc.). The same stories indicate how non-judicial officers like the *senāpati* or the *purohita* or a miscellaneous body of *amachchas* could be appointed to decide suits.

We may pause here to notice an interesting reference in some *Dharmasūtra* texts to the partial adoption of the jury system in judicial trials. Gautama (XI 19), while recommending the application of customary laws of the current trades and professions for the adjudication of the respective groups, observes that the king shall ascertain the law from those who have authority over these respective classes, and shall give his decision accordingly. In other words, a king is to summon an informal jury of leading men of the above classes for ascertaining the law applicable in their special cases. Again, we are told by Vasishṭha (XVI 15) that boundary disputes are to be decided, evidently by the local judicial authority, on the evidence of elders of the town or the village, or else of the *śreṇīs* when there is conflict between the documentary evidence.

The *Dharmasūtras* contemplate the king's jurisdiction as extending likewise over the large body of penances, of which, indeed, we have the first known code in these works. The penances are prescribed for breaches of caste regulations as well as for offences against person and property.[11] In so far as the crime of murder is concerned, two *Dharmasūtra* texts (Āpast. I 9.24.4 and Baudh. I 10.19.1–2) require the offender to pay a bull to the king by way of expiation. According to a more picturesque directive (Āpast. I 9.25.4, Vas. XX 41, Baudh. II 1.1.16–17, Vish. LII 1–2, Śankha. in Kane's List, No. 384) the thief is to present himself before the king with a wooden club or weapon and obtain release from his sin by killing himself or by being killed by the king. Men who have incurred sins (*pāpāni*) and have been punished by the king, we are further told by Vasishṭha (IX 43) in general terms, go purified to heaven and become as holy as the pious. According to Āpastamba (II 5.10.12ff, ibid. 5.11.1f) Brāhmaṇas persistently disregarding their caste duties are to be sent by the king to the *purohita*, who may inflict upon them any penalty short of corporal punishment and servitude, but men of other castes guilty of the same offence are punishable by the king, after careful investigation, even with a death sentence.[12] In the above it will be observed that the *purohita* is granted plenary jurisdiction over Brāhmaṇa offenders against caste rules, this being the only instance of ecclesiastical jurisdiction known to the history of our period. In another context, however, Āpastamba allows a king complete jurisdiction over breaches of caste rules. The king, he observes (II 10.27. 18–19), shall keep in secret confinement, till promise of amendment, one who breaks the rules of his caste or order, and the king shall banish him if he does not amend. The unlimited jurisdiction of the king over breaches of the sacred law (*dharma*) is sanctioned by Vishṇu who says (III 94) that there is no one deviating from his *dharma* who should be left unpunished by the king.

2. PRIVATE COURTS

Along with the establishment of State courts we notice the emergence during the pre-Mauryan Age of private courts such as the courts of the caste-councils (*sabhā* and *parisā*), those of kinsmen (*ñāti*), and those of economic associations (*pūga* and *vrāta*).[13] In *DN* I 98, in the course of polemics about the relative status of Kshatriyas and the Brāhmaṇas a Brāhmaṇa who is disgraced and banished from the urban and the rural areas by his fellows is compared to his disadvantage with a Kshatriya treated similarly by his caste-members. This passage evidently refers to Brāhmaṇa and Kshatriya caste-councils sitting in judgment over offenders of their respective classes and passing the extreme sentence of excommunication against them. Other texts of the Pali canon (*AN* I 128, V 264; *MN* III 47–8; 286; *Pug.* 29) state that persons going to the *sabhā*, *parisā*, *ñāti*, or *pūga* were summoned as witnesses to speak the truth. Other passages (*AN* IV 114–5; *SN* I 184) refer with characteristic Buddhist irony to the unusually strict procedure that was current in the *parisā* of Kshatriyas, Brāhmaṇas and *gṛihapatis*, and especially in the *sabhā* of the Brāhmaṇas. We may therefore conclude that the councils of the two upper castes as well as those of kinsmen and the guild associations, while adopting too formal rules of business, followed the judicial procedure of interrogation of witnesses so well known to the State courts. In a story of the Pali canon (*SN* I 176) we are told how a rich Brāhmaṇa, being driven out of doors by his undutiful sons and daughters-in-law, was advised by the Buddha to repeat some verses when the people were assembled in the *sabhā* and his sons were seated in their midst. This had the desired effect of inducing the sons to lead back the old man to his house, and treat him with proper respect. From this it follows that caste-councils made decisions on family disputes. It seems probable that councils of kinsmen as well as of guild associations similarly decided internal disputes among their members. A Pali canonical text (*AN* III 82–3) throws an interesting sidelight upon the constitution of the *sabhā*, for it declares women to be ineligible for membership. We may refer, lastly, to a difficult passage (*Vin.* IV 226) where we read that a female thief must not be ordained as a nun without the consent of the king, *saṁgha*, *gaṇa*, *pūga*, or *seṇī* as the case might be.[14]

ADMINISTRATION OF JUSTICE

1. JUDICIAL ADMINISTRATION IN THE DHARMASŪTRA AND ARTHAŚĀSTRA SYSTEMS

From the above survey of law-courts during the pre-Maurya period let us pass to a description of the contemporary methods of administration of justice. We begin with some instances of the survival of primitive ideas of justice in the *Dharmasūtras*. A *Dharmasūtra* text has preserved a reminiscence of the old Vedic institution of the wergild or fine paid by the murderer to the family of his victim by way of compensation. For slaying a Kshatriya, a Vaiśya or a Śūdra, Āpastamba says (I 10. 10. 1f), one thousand one hundred and ten cows respectively are to be given to the king for the purpose of removal of enmity (*vairaniryātana*), and in addition a bull is to be given in each case. Elsewhere (I 9.24.1f) the same author explains that the cows are to be given for the removal of enmity, and the bulls for the purpose of penance. This passage indicates a striking combination of the judicial principle of payment of wergild by the murderer (to the king in place of the murdered-man's relations) with the ecclesiastical principle of expiation of the murder by a penance.

Another instance of the survival of primitive ideas is found in the continuation of the method of judgment by ordeal (*divya* or *samaya*). Judges, says Āpastamba (II 11.29.6), are to decide in case of doubt by signs (i.e. inference) and divine proof (meaning ordeal) ; the king after careful consideration of the charge by means of divine proof and questioning of witnesses is to give judgment. This passage obviously involves a conscious attempt to combine primitive and advanced processes for the decision of cases. We may refer in this connexion to the classified list of ordeals in a probably late passage of Śaṅkha-Likhita (No. 552 in Kane's List) which mentions ordeals by balance, by prison, by water, and by holding a red-hot iron. In contrast to the *Dharmasūtras*, Kauṭilya makes not the slightest reference to the application of ordeals in judicial trials. The ordeals find no place as such in Kauṭilya's list of the four approved methods of deciding suits (III 1). The list consists, as we have stated elsewhere, of solemn affirmation by one or other of the parties, of judicial trial by means of witnesses, of reference to custom and of the king's authoritative judicial decision. A complete description of ordeals occurs in some evidently late extracts of

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Vishṇu (Chapters ix–xiv). We find here a classified list of ordeals for application successively to the four castes for denial of a deposit (ibid. ix 5ff), a list of ordeals for women and Brāhmaṇas as well as for those physically crippled and infirm (ibid. 23), and another list of ordeals particularly for Brāhmaṇas (ibid. 27).

Leaving aside these traces of primitive justice, we may proceed to consider here some of the leading characteristics of judicial administration in the advanced systems of law and polity during this period. Judged by modern standards, the two codes of law above mentioned are justly chargeable with a two-fold defect, namely, discrimination (caste-wise) in the award of punishments and severity of the penal law. But the merits of these codes are by no means negligible. *Firstly*, the king is required to apply reasoning in the decision of suits, thus making justice in the last resort equivalent to human reason. *Secondly*, various relevant factors are required to be taken into consideration by the king and his officers before passing judgment so as to avoid the evil of summary trials. *Thirdly*, weak, infirm and helpless persons are assured of personal hearing of their suits by the king. *Fourthly*, the assessors of the King's Court and the judicial officers are required to be equipped with appropriate qualifications. *Fifthly*, the administration of strict and impartial justice by the king and his officers is enforced by the application of moral and spiritual sanctions, while similar sanctions are applied against dishonest litigants. *Sixthly*, truthful depositions by witnesses are inculcated by their forms of oath, by the solemn address of the judges to them and by the temporal and spiritual penalties for false statements. *Seventhly*, a judicial procedure is required to be followed by the judges in passing sentences at trials. *Eighthly*, legal penalties are prescribed for the king and disciplinary measures are laid down against judicial officers in the event of miscarriage of justice. *Ninthly* and lastly, institutional remedies are provided for guarding against wrong judgments by judicial officers.[15]

2. JUDICIAL ADMINISTRATION IN OTHER SOURCES

The early Buddhist references to the administration of justice by the State courts are of three categories comprising the traditions about kings and high officials, stories of men and women in common life, and animal fables. The traditions may have had a historical basis, the kernel of the stories was probably drawn from real life, while the fables would convey the narrator's experience of contemporary public life. In the result we find in these records a mass of authentic information about the contemporary judicial administration similar to that obtainable from them about the executive administration.

Beginning with the Pali canon, we have three important passages bearing on the standards of the king's administration of justice. In *AN* (iii 208f) we read how the assembled monks replying to the Buddha declare that they have neither seen nor heard of kings having seized and punished a man who has abstained from murder, theft, or violence on women, lying or drinking, but that they have both seen and heard of kings having thus dealt with men who are charged with one or other of the above offences. In another canonical account (*Vin.* Vol. II; *Chullavagga*, Chapter VI 4, 9) we are told how the judge decreed a civil suit between a prince and a commoner on a point of specific performance of a contract for sale. Here we read that the merchant Anāthapiṇḍika, wishing to purchase a garden from Prince Jeta in Sāvatthī (capital of the kingdom of Kośala) for its eventual dedication to the Buddha and his order, approached the prince. The prince in a spirit of bravado asked the merchant to cover the garden with coins if he wished to effect the purchase; when this condition was fulfilled and the prince still refused to complete the bargain, the dispute was carried to the judges (*vohārikamahāmattas*) who decided in favour of the merchant. Lastly, in *MN* (II 88) a king of Madhura replying to a sage is stated to have observed that if a Khattiya, a Brāhmaṇa, a Vessa or a Sūdda guilty of theft, house-breaking or adultery was brought up before him for sentence, he would put the offender to death, confiscate his property, banish him or otherwise deal with him as was required by the circumstances. Explaining the reason for this procedure the king says that the offender's former designation as Khattiya and so forth is now abolished, and he is merged in the malefactor. In discussing the significance of the above texts we may observe that the first statement is shorn of much of its value as a historical document because of its obviously rash generalization; in fact it is contradicted by another extract to which we shall presently refer. It is not improbable that the statement was made by the writer to placate the temporal power at a crisis in the *saṁgha's* history. The second passage which has every appearance of being authentic illustrates the application of the principle of equality of law for all people, regardless of rank, for the purpose of civil justice. An application of the same principle in the branch of criminal jurisdiction in deliberate disregard of the caste discriminations sanctioned by the best authorities, is recorded in the third and most interesting extract quoted above. The isolation of this passage, however, suggests that if it was based on fact, it was a bold experiment undertaken by an obscure king by way of reform of the current inequalities in the branches of criminal law and procedure. In contrast with the above passages we have another text repeated several times in the Pali canon (*AN* I 155, III 128, ibid. 130). It states that daring robbers (*mahāchoro*) as well as evil monks (*pāpabhikkhū*) counted with success upon kings (*rājans*) and the high officials (*rājamahāmattas*) for giving explanations in their defence in the event of their being accused by anybody. This points to a deliberate shielding of criminals from justice by kings and their subordinates.

An equally balanced but fuller picture of the methods of judicial administration that were current during this period may be derived from the *Jātaka* stories. The first group of these stories points to the administration of justice by kings and the subordinate judiciary after the pattern set by the *Dharmasūtras* and the *Arthaśāstra* of Kauṭilya. Kings and their judicial

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officers (*vinichchayāmachchas*), we are told, decided cases after a regular judicial trial involving the examination and cross-examination of the parties and interrogation of their witnesses. For ensuring the purity of the judicial administration, false witnesses as well as dishonest debtors were visited with the threat of spiritual penalties. A strict watch was kept by the kings over those exercising rights of jurisdiction in the villages and, no doubt, over other judicial officers as well. Great judges used to leave behind records of their judgments for the benefit of their successors.[16] In contrast, we have another group of stories, which acquaint us with serious lapses of the judicial administration in flagrant violation of the procedure laid down in the *Dharmasūtras* and the *Arthaśāstra*. From this stand-point we need not attach much importance to the *Jātaka* story (No. 92, pp. 384–6) which states how an innocent rustic under fear of beating by his captors not only confessed his guilt, but admitted the complicity of a high official who alleged the complicity of equally innocent persons on grounds hardly worthy of credit. From other and more reliable stories we learn that kings used to pass even capital sentences after summary trials, despite the strict injunctions of the Brāhmaṇa canonists and the political theorists to the contrary. As the king's judgment was final, this often resulted in the conviction of innocent persons who were deliberately charged with crimes by designing individuals. As if to emphasize the iniquity of the whole procedure, the stories tell us how the victims were usually acquitted by the king after vindication of their innocence, and how the opportunity was taken by them or their friends for rebuking the king for his rash judgment.[17] We may conclude by quoting the relevant extract from a long *Jātaka* story (No. 77, pp. 336–42) told fully elsewhere (Chapter III) of the interpretation of sixteen evil dreams of a king by a sage. This interpretation takes the form of a series of prophecies of coming public calamities. In days to come, so runs the interpretation of the fifth dream, unrighteous and foolish kings will appoint unjust and covetous men as judges, and these base and foolish persons in giving judgments from their seat of justice will accept bribes from both the complainant and the defendant.

POLICE ORGANIZATION IN THE PRE-MAURYA AGE

One of the chief characteristics of the Ancient Indian State administration during this Age is the complete prevalence of the King's Peace within the State territory, matching the paramountcy of the King's Justice throughout this area. Alike in the *Dharmasūtra* and the *Arthaśāstra* accounts of the king's administration both the rural and the urban areas are required to be directly administered by the king and his officers. It is in accordance with this fundamental concept that Kauṭilya (I 13) requires the king to spread a network of spies in both areas. Of equal significance is the fact that one variety of the king's executive edicts, justly called *sarvatragaśāsana* or 'edict of universal application' in Kauṭilya's scheme of classification of the same (II 10), is defined as a direction to the executive officers and their subordinates to provide for the security and welfare of travellers along the countryside and elsewhere. The realistic stories of the *Jātakas* tell us how robbers were habitually arrested in the remotest villages by the king's order on the complaint of the local people. According to a local custom commemorated in a particular story (No. 257, pp. 301–2) criminals could be arrested by private individuals holding up a clod of earth or a stone as a symbol of the king's authority.

The enforcement of the King's Peace throughout the kingdom was facilitated by the institution for the first time of State police on a country-wide scale. The employment of policemen as the normal feature of State administration during this time is implied in the texts of the *Dharmasūtras* as well as in the *Jātaka* stories. Terms for spies and informers who must have been employed by the State occur in Pāṇini's grammar.[18] The full development of the State police is reached in the *Arthaśāstra* system. In Kauṭilya's work we come across the two broad divisions of the regular and the secret police which we propose to describe here in general outline.

A. REGULAR POLICE

Kauṭilya's account of the working of the regular police may be given under three principal heads, namely, 1. Constitution of the police service, 2. Police administration, and 3. Public obligation of watch and ward.

1. *Constitution of the Police service*

The cadre of the regular police in Kauṭilya's work consisted of the rural and the urban branches, which were constituted on similar lines. The core of the service was composed of three tiers of officials, the *pradeshṭā* (for the rural area) or the *nāgarika* (for the urban area) at the top, the rural and the urban *sthānikas* in the middle, and lastly, the rural and the urban *gopas* at the bottom. Indirect reference is made in other contexts (II 28, ibid. 34), as we shall see presently, to the functions of such police officers as the *chorarajjuka* ('the officer armed with the power of binding thieves') as well as the police functions of such executive officers as the *mudrādhyaksha*, the *antapāla*, the *vivītādhyaksha* and the *nāvādhyaksha*. Among the regular police officers above mentioned the *pradeshṭā* alone is included in the cadre of the king's Civil List (V 3), while provision is made for grant of lands on service tenures to the rural *gopas* and *sthānikas* (II 1).

2. *Police administration*

In the first place a strict control was maintained over all entries into and exits out of the kingdom. We hear (II 34) of a special *adhyaksha* (*mudrādhyaksha*) who was in charge of the issue of passports. No one was allowed to enter or leave the kingdom without securing a passport from this officer on payment of the prescribed fee. What strict precautions were taken for preventing clandestine entries and exits is shown by the accompanying regulations. Not only were passports to be examined by the *vivītādhyaksha*

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(the officer-in-charge of pastures), but this officer was required to set up pasture-lands between two danger spots and to reclaim the low lands and forests. How a security force was to operate evidently under the same officer's direction is told in the following lines. Huntsmen and out-castes, we are told, roamed about the forest. At the approach of thieves and hostiles they conveyed the news by the blowing of conches or by the beating of drums from safe distances, or else by using swift conveyances. They reported the movements of hostiles and foresters by sending carrier pigeons with sealed packets (tied round their legs) or else by relays of smoke and fire signals.

In the next place, measures were taken on the widest scale for the protection of life and property of the public. According to a difficult and cryptic text (II 35) the *pradeshṭā* was required to function at the headquarters of the *sthānika* and the *gopa*. In another context (IV 1) benches of three *pradeshṭās* are required, in more general terms, to take in hand the suppression of public enemies and the relief of public calamities (technically called 'the eradication of thorns threatening the urban and the rural areas'). Under this head we are told (IV 7) how an inquest was to be held in cases of sudden death. The inquest was of two kinds, involving the medical examination and the police investigation. The first involved the post-mortem examination of the body, evidently under the direction of highly competent experts. The body was smeared with oil, and it was examined in accordance with a detailed classified list of physical symptoms (e.g., death by strangulation, impalement, drowning, assault with a stick or ropes, falling from a height, poisoning, snake-bite, etc.). For the detection of death by poisoning, further tests were to be applied through the examination of undigested food in the stomach, and of the burnt remains of the body of the deceased. As regards the second point, the dead man's displaced servants, his interested relatives, persons near him or near the site at the time of murder were to be interrogated. This was to be followed by a further interrogation of dealers who supplied the dress and ornaments to the deceased at the time of his death. Further investigation was to be made in the light of a long list of motives, given by the author, as generally leading to ill will and subsequent murder.

In the preceding chapter (IV 6) Kauṭilya gives a general direction to the *pradeshṭā* and the *nāgarika*, with their respective staff of *sthānikas* and *gopas*, to track down thieves within their proper jurisdiction according to well defined processes. This procedure forms the third and the last stage in the process of investigating crimes for the purpose of suppression of public enemies. It comprises the three-fold method of interrogation of the suspect, examination of traces of the stolen property and observing the traces of the crime (called in technical language *śaṅkā*, *rūpa* and *karma* respectively). Under the first head we read that the suspect was to be closely interrogated, and a careful consideration was to be given to his statement in order to guard against all chances of wrongful punishment. In this connexion a heavy penalty is prescribed for false accusation on a charge of theft.[19]

In another context (II 21) Kauṭilya, immediately after dealing with control over the import and export of merchandise and the levy of a road-cess (*vartanī*) by the *antapāla* according to specifications, requires this officer to take steps for the recovery of lost or stolen property. This was evidently done at the check-post implied in the above regulations. In yet another context (II 28) the officer-in-charge of shipping (*nāvādhyaksha*) is charged with the duty of destroying boats bound for the enemy's kingdom, and he is further asked to halt the boats at the prescribed landing places so as to guard against travel by those who are traitors to the king. The *nāvādhyaksha* is further required to arrest a person covertly carrying weapons or explosives in boats.

The last group of texts (IV 13) deals with measures for the safe custody of merchants' goods in transit. Merchants coming from outside and staying in a village reported the amount or value of their merchandise to the village authority. In the event of the merchandise being stolen or carried away in the night but not taken outside the village limits, the village chief (*grāmasvāmī*) was to recover the same. The task of recovery was to be undertaken by the *adhyaksha* in charge of pastures (*vivītādhyaksha*) if the merchandise was stolen or carried away outside the village limits (the pastures beyond the arable lands ?), by the officer charged with binding thieves (*chorarajjuka*) if it was so removed outside the village pastures, and if beyond these, by the *gopa* (the officer-in-charge of five or ten villages).

A lurid light is thrown upon the methods of police administration in Kauṭilya's time by his reference (IV 8) to the use of torture for extorting confessions from suspects whose guilt is established *prima facie*. Kauṭilya gives us in fact a gruesome list of eighteen kinds of torture of which four are declared to be in common use, and the rest are reserved for the punishment of heinous crimes. Nevertheless, we detect the usual tendency of the author towards the humanitarian application of law and legal procedure. This is shown by the list of persons partially or wholly exempted from torture. We read that pregnant women and women delivered or confined a month earlier are exempted from torture prescribed for males, or else to be subjected only to interrogation. Learned Brāhmaṇas and ascetics are to be the objects of espionage only when they are accused.

3. *Public obligation of watch and ward*

We may well supplement the above account of the working of the regular police in Kauṭilya's *Arthaśāstra* by the author's reference to the public obligation of watch and ward in both the rural and the urban areas. In so far as the rural area is concerned, we have a somewhat full account (II 25) of the burden imposed upon vintners selling liquors under the direction of the officer-in-charge of drinking regulations (*surādhyaksha*). Customers suspected of acquiring property in various improper ways or making payments in stolen cash or kind, as well as those behaving like spendthrifts, were to be lured outside by the dealers and handed over to the police.

Secret information was likewise to be gathered through the agency of beautiful women about the behaviour of respectable (local) customers as well as of newcomers fallen asleep through intoxication in the rooms of the liquor-house. On the other hand secret service men (*gūḍhas*) were to be stationed in the liquor-house for collecting information about the belongings of customers lying asleep through intoxication. Evidently in the light of this information the dealer was made liable to compensate the owner and pay full value of an article in the event of its loss. As regards the urban area, Kauṭilya tells us (II 36) how the residents of the city were required to act on the occasions when new arrivals appeared in their midst. Owners or managers of charitable rest-houses (*dharmāvasathas*) could freely lodge ascetics and *śrotriyas* known to themselves, but had to obtain permission for lodging heretical visitors. Merchants, while they could freely lodge men of their own profession, had to report on those selling merchandise at an improper time or place, or what was not their own. Entertainers ('vintners, sellers of cooked meat and rice, as well as prostitutes') who could freely give lodgings to persons known to themselves were required to report on the arrival of spendthrifts and rakes. Physicians were to report to the *gopas* and *sthānikas* about patients desiring secret treatment of their wounds as well as persons dealing in dangerous drugs. House-owners had to report upon new arrivals and departures in their midst. These stringent regulations were enforced by penalties which need not be discussed here.

B. SECRET POLICE

Vague references to the employment of spies by the king are found as far back as in the *Ṛigveda* and are continued in the later *Saṁhitās* and the *Brāhmaṇas*. It is, however, in Kauṭilya's *Arthaśāstra* that we come across an elaborate organization of the secret police and its employment for various administrative purposes for the first time. The other sources give us fragmentary and imperfect accounts consisting mostly of scattered references.

1. *Organization of the secret service in the Arthaśāstra system*

In Kauṭilya's work (I 2) we are introduced to the fundamental division of the secret service into two classes, namely, the itinerant (*sañchāra*) and the stationary (*saṁsthā* or *saṁstha*), with different compositions and official grades. The *sañchāra* group comprises four types, namely, the *satrīs*, the *tīkshṇas*, the *rasadas* and the *bhikshukīs* (or *parivrājikās*). The *satrīs* are defined as spies who are orphans but are to be maintained by the State and who are taught palmistry, sorcery, tricks of legerdemain and so forth. The *tīkshṇas* are desperadoes who may fight with elephants for money in disregard of their lives. The *rasadas* are those who have no affection even for their relatives and are indolent and cruel. The *bhikshukī* is a poor Brāhmaṇa widow, clever and desirous of earning her livelihood, who is honoured in the king's inner apartments and who visits the families of high officials.[20]

To the same category belong the Buddhist (shaven-headed) nuns as well as Śūdra women. We may summarize the above by stating that the *sañchāra* group consists of types distinguished for their miscellaneous learning, bravery, cruelty, or facility of access to the inner apartments of men of high rank. The *saṁstha* group comprises five types, namely, the *kāpaṭika*, the *udāsthita*, the *gṛihapatika*, the *vaidehaka* and the *tāpasa*. The *kāpaṭika* (or the false Vedic student) is a bold pupil capable of knowing the minds of others, the *udāsthita* (or the false monk of the orthodox order) is one who has fallen from his vows but is clever and otherwise pure, the *gṛihapatika* or the false householder is the cultivator who has suffered loss in his profession but is clever and pure; the *vaidehaka* (or the false merchant) conforms to the the same type, and the *tāpasa* (or the false ascetic) is one belonging to the unorthodox orders, who seeks royal service for his livelihood. From the above it follows that the *saṁstha* group consists of those supposedly belonging to one or other of the well-known Brahmanical orders or stages of life as well as the heterodox order of monks. Both the groups are described (v 3) as belonging to the king's official establishment on regular pay scales: but while the *saṁsthas* are placed in Grade vi of the king's Civil List, the *sañchāras* are relegated to Grade vii.

Besides the types and sub-types of spies mentioned above, there were others outside the classified list. For instance, in the list of persons who were deputed for espionage on the behaviour of the eighteen top-ranking officials, we find mention of hunchbacks, dwarfs and pygmies, the deaf and dumb, idiots, as well as actors, dancers, singers and the like, along with women of various professions. It remains to mention that the checking and direction of espionage is recognized by Kauṭilya in another context (i 19) as a part of the king's daily routine. We read here that the fifth watch of the day was to be set apart for imparting secret instructions to the spies, the first watch of the night for an interview with them and the seventh watch of night-time for deputing the spies for particular work. How the actual direction of both groups of spies is sought to be carried out by the *samāhartā* will be told in the course of this chapter.

2. *Working of the secret service*

We have mentioned above how the secret service was required to be employed in Kauṭilya's system for various purposes of the State. It will now be our endeavour to give some account of these respective spheres of work of the service.

(*a*) *Espionage for the purpose of general administration.* Under this head we have to mention the employment of spies for such varied purposes as surveillance of the State officials, invigilation of the subjects, suppression of enemies of the State, acquiring dominion over the *saṁghas*, and last but not least, for strengthening inter-State relations. For the surveillance of the eighteen top-ranking officials (i 12) the services of spies of both divisions were requisitioned. The *tīkshṇas* posing as attendants gathered information about the public behaviour of the officials, and the information was conveyed by the *satrī* to the *saṁstha*. Information about private behaviour of the officials was to be collected by *rasadas* posing as public entertainers. False nuns as well as other male and female spies operating within their households under different guises were to gather further information about the officials, and this was to be conveyed to the same source. The elaborate technical devices employed for the delicate task of reporting on the private behaviour of officials consisted in the application of the cipher code, the transmission of the news by relays of door-keepers and the use of (meaningful) song, recitation and instrumental music. We have a clue to the strictness with which the reports sent by the lower order of spies were assessed by the *saṁstha*. The members of the *saṁsthas* and *sañchāras*, we read (I 12), were to operate without being known to each other: credence was to be given to reports emanating from three independent sources: the spies were to be secretly punished or dismissed in the event of frequent mutual disagreements of their reports. In so far as the invigilation of the subjects was concerned, we are told in effect (I 11) that spy-rings maintaining themselves by the pursuit of economic occupations on State assignments of land were to be created by the false monk (*udāsthita*). Similar spy-rings maintaining themselves on State grants of land were to be created by the pseudo-householder (*gṛihapatika*) and the pseudo-merchant (*vaidehaka*). Another spy-ring trading on popular beliefs and superstitions was to be created by the pseudo-ascetic (*tāpasa*). Living in the vicinity of a town with numerous disciples of the heterodox orders, the *tāpasa*, we are told, should pretend to live upon a handful of vegetables or meadow-grass once every one or two months, but he should secretly take wholesome food: his disciples were to proclaim his possession of the secret of discovering hidden wealth: when questioners appeared before him, he was to find out the answers from signs and indications, and he was to make 'prophecies', which were to be made good by other secret agents. How his services were to be utilized by the *mantrī* is told in the same context. When questioners would visit the pseudo-ascetic he was to ask those with high intellectual powers to contact the *mantrī*, who was to find suitable occupations for them: the *mantrī* was to conciliate with gifts and honours those justly disaffected, and to inflict 'secret punishment' upon the king's enemies and on those disaffected without cause.

As regards the policy of guarding the king's own subjects and winning over those of the enemy, the spies are used essentially as instruments of open and secret propaganda on the king's behalf. *Satrīs* (q.v.), we are told (I 13), should arrange for collective disputations in public places, so that while one spy should question the king's right to the obedience of his subjects, the other spy should silence through him the lowly folk by narrating the story of the origin and function of kingship. Referring to the spies' programme of mass propaganda, the author classifies the disaffected group of subjects under four heads, according as they are moved against the king by one or other of the four passions, anger, fear, greed and pride. The author shows by practical examples how those groups among the enemy's subjects are to be won over severally by spies appealing to their master passion. In the above the propaganda for espionage is based on the clever application of mob-psychology to politics. We are told in effect that the judgement of the masses is founded upon popular slogans and not upon reasoned convictions. Again we are made to understand that the masses have no principles but only passions. It is the task of the statesman guiding the spies to take advantage of these characteristics to win mass opinion over to the side of his government. In so far as the policy of suppression of enemies of the State is concerned, the spies are employed in Kauṭilya's work (VI) chiefly as *agents provocateurs* for fomenting quarrels within their families, and further as instruments for their direct assassination by the use of poison and the dagger. For this purpose the services of both male and female spies were to be used in ways illustrated by Kauṭilya, into which it is not possible to enter here.

As for the policy of acquiring dominion ('sole rulership') over the political and economic groups (*saṁghas*), Kauṭilya (XI 1) illustrates its application to the disaffected bodies by numerous examples. We are shown how male and female spies were to be employed for fomenting quarrels between different *saṁgha*-chiefs (*mukhyas*), between the *mukhyas* and the people, between the loyal and disloyal elements as well as between the highborn and the lowborn members of the *saṁgha*. We also learn how spies were to procure disgrace or death of disaffected *saṁgha*-chiefs.

Of the employment of spies in the great branch of inter-State relations we shall have occasion to speak in a later chapter (Chapter XI). We may mention here that even emissaries (*dūtas*) sent to foreign countries were expected (I 16) to act as secret service men. They were to use pseudo-ascetic and pseudo-mendicant spies for gathering secret information about the sentiments of the enemy's subjects towards their ruler and the enemy's plans; the services of the spies were to be utilized likewise in seducing the enemy's subjects. In the absence of such facilities the *dūta* was to gather information by means of a number of technical devices. These consisted in the utilization of the (supposedly) wild talk of (spies, posing as) beggars, drunkards and madmen as well as the inspection of the painting and the cipher codes (prepared by spies).

(*b*) *Espionage for the maintenance of law and order.* Under this head we are told, in two different contexts, how the spies are to be employed by the *samāhartā*. Firstly, in connexion with the *samāhartā's* preparation of the Grand Village Register of the kingdom and the antecedent processes (II 35) we read that following the *gopa's* compilation of statistical returns of the village lands, the *samāhartā* was to arrange for a police inquest of selected villages. Spies posing as householders are to report on new arrivals and departures in the village as well as on the movements of the enemy agents. Other spies posing as ascetics are to be deputed by the *samāhartā* to report on the good or bad behaviour of the rural folk ('cultivators, herdsmen and dealers') as well as of the *adhyakshas*. Attendants of these pseudo-ascetics are to spread all over the countryside and report on the movements of thieves, desperadoes and enemy agents. These measures are evidently intended to supplement the working of the regular police under the direction of the *gopa* as has been mentioned above.

In the next place we are told, in the context of the *samāhartā's* measures for the suppression of public enemies (IV 4–5), that he should spread a network of spies over the whole rural area (*janapada*). The spies who are to assume a remarkable variety of disguises are to report on the good or bad behaviour of villagers and *adhyakshas*. The subsequent operations consist in the employment of selected spies in the role of *agents provocateurs* in a large variety of ways illustrated by the author. The *satrī* type of spies is to be set upon persons suspected to be living by underhand means. The list of suspects, who are said to be thirteen in number, consists of the corrupt *dharmastha*, *pradeshṭā* and *grāmakūṭa*, false witnesses, practitioners of different types of witchcraft, those who prepare or deal in poisons, manufacturers of counterfeit coins and those who manufacture or deal in impure gold. The *satrī's modus operandi* consists in instigating the suspects with offers of money to commit the crime, or else to learn their secrets by infiltration into their midst. A subtler and a bolder method is to be adopted against thieves and adulterers. Spies disguised as sages (*siddhas*) and pretending to possess knowledge of miraculous powers are to win the confidence of gangs of these criminals by carefully planned demonstrations of their capacity for producing invisibility among themselves as well as sleep among the watchmen, and for winning the hearts of women. Afterwards they are to contrive the arrest of the robbers with marked stolen goods in their possession. Spies in the disguise of old thieves, we are further told, should infiltrate into the midst of the robbers and facilitate their arrest. Other spies should mix with foresters and instigate them to commit robberies among caravans, in villages and cattle-pens and afterwards cause their assassination or arrest. The author uses this occasion to show how the services of spies are to be utilized for the prevention of robbery by a bit of clever, if unscrupulous propaganda. The *samāhartā* is to exhibit the captured thieves before the public as a demonstration of the king's supernatural power of detecting robbery.

(*c*) *Espionage for miscellaneous purposes.* In Chapter III it has been shown how spies were required by Kauṭilya to be employed by the king and his advisers for the purpose of selecting *amātyas*. We give below a few examples showing how the services of spies were sought to be utilized in the department of finance. In connexion with Kauṭilya's description of the functions of the *śulkādhyaksha* (II 21) given elsewhere, we read how spies were to be engaged to prevent evasion of the customs duties by dishonest merchants. This was intended to be an additional precaution to supplement the work of the *antapāla* in examining and passing the merchandise at the frontier with his seal stamped on it. Spies posing as merchants, we are told, should report to the king the amount of valuable and cheap merchandise belonging to each member of the caravan arriving at the frontier. The king in his turn was to communicate the report to the *śulkādhyaksha* at the capital city evidently for helping him to check the returns of the merchants. The occasion was taken by the *śulkādhyaksha* to convey a warning to the merchants against dishonest concealment of their wares by the crude expedient of proclaiming the king's omniscience. Furthermore, Kauṭilya (v 2), while describing the measures for raising extraordinary finance during the king's emergency, shows how spies were to boost public subscriptions arranged by the *samāhartā* by first making a large contribution and then shaming those who gave little. Spies posing as sages (*siddhas*), we are told in the same context, were to delude the public into making contributions for propitiating faked 'demons' or snakes; other spies disguised as merchants were to start mercantile operations with ample stock and staff: when considerable stock had been accumulated by the sale of merchandise as well as by means of public deposits and loans, the spies were to cause themselves to be robbed at night in collusion with the king's agents.

In another context (II 35) we read how the *samāhartā* was to check the returns of the *gopas* in respect of village lands, tenements and families by the agency of spies. He was to depute spies posing as householders to selected villages to report upon such items as the area and output of the fields, the title and the remissions in respect of the tenements, the caste and the occupation as well as the income and the expenditure of the family members, and their numbers. Other spies posing as dealers were to report on the amount and value of the merchandise of indigenous origin as well as of those of foreign merchandise imported by land and water-ways. They were also to report on the taxes paid and the expenses incurred by the merchants.

JAILS AND JAIL ADMINISTRATION

The institution of State police during this period was accompanied by that of State jails (*bandhanāgāra* or *kāraṇaghara*). We know from the *Jātaka* stories that it was the custom of good kings to release prisoners from jails on such occasions as a popular festival or the consecration of the Crown Prince. On the other hand we hear of princes found guilty of repeatedly plotting the murder of the reigning king being thrown into prison for the rest of the king's reign.[21] Kauṭilya gives us an account of the administration of jails in his time with characteristic thoroughness and precision. We hear (II 5, IV 9) of the lock-up (*charaka*) run by the *dharmastha* and of the jails (*bandhanāgāra*) controlled by the *dharmasthas* and by the *mahāmātras* (*pradeshṭās* ?). The construction of the *bandhanāgāra* was to be undertaken by the *sannidhātā* (q.v.) on a regular plan. This consisted in building separate rooms for males and females with well-protected rooms as well as verandas. This was evidently intended to provide decent lodging as well as safe custody for the prisoners. The administration of jails is described by the author appropriately enough in the context of his account (IV 9) of the measures for guarding the State offices (*adhikaraṇas*), which is itself part of a wider programme for ensuring public security against anti-social elements. The author's description points to the operation of both the objectives of security and humanism in the administration of the jails. On the one hand an ascending scale of fines is prescribed for spiriting away prisoners from the lock-up of the *dharmastha* and the jails, and for permitting the misuse of the jail rooms by the prisoners. The penalty of a fine is imposed for releasing prisoners from the lock-up and that of confiscation and death for releasing them from prison. On the other hand fines are levied on an ascending scale for removing the prisoner from jail without the jailer's permission, for making the prisoner perform forced labour, for assaulting him, for taking bribes from him, and for killing him. The penalties extend to death for aiding and abetting the escape of the prisoners from the lock-up and from the jail. The offence of raping women lodged in jail is visited with penalties varying according to their social rank.

In yet another context (II 36) the rules for periodical and conditional jail deliveries are mentioned. Minors, the aged, diseased and helpless are to be released on the occasion of the king's 'astral birthday'[22] every year and on full-moon days every month. Persons known to be habitually virtuous and others who are prepared to pay ransom or give undertakings of good behaviour are to be released on all the days or else on every fifth day. Prisoners are to be released in return for the performance of a certain work, for suffering some corporal punishment, or for payment of a compensatory fine. Unconditional release of prisoners is to take place on three occasions, on the conquest of a new kingdom, the consecration of the Crown Prince and the birth of a son to the king.

CHAPTER VII

NOTES

[1] On the whole subject of Ancient Indian law and legal procedure, beginning with the Vedic Age and ending with the Middle Ages, see Kane, *H of D*, Vol. III, Chapters XI, XIII–XIV, XVI. The subject-matter of litigation in Kauṭilya's *Arthaśāstra* and (significantly enough) in the later *Smṛitis* is given by the same scholar in parallel columns (op. cit., p. 249). Kauṭilya's rules of legal procedure deal not only with the examination of the plaintiff and the defendant and the witnesses, but also with such technical matters as framing the plaint, allowing adjournments to the plaintiff and the defendant for stating their cases, disqualifications for entering into legal transactions and the grounds for defeat of the parties to the suit. The plaint, in particular, is required to comprise the following items: 'the year, the season, the month, the fortnight and the day (of the subject-matter), the relevant documents, the court hearing the case, the amount of debt or other money payment due, the country, the village, the caste, the family, the names and the occupations of the plaintiff and the defendant, the mutual relationship of the parties' (Kane, *H of D*, Vol. III, p. 293). We also hear of the court fees payable to the king by the parties in some cases. It may be noted that Gautama (XIII 28) has a clause similar to Kauṭilya's about the period of adjournment allowable to the parties to the suit. For quotations of clauses of the early *Arthaśāstra* code, see *KA* III 5, 6, 7, 11, 17, 19 and 20; IV 11. In one instance (III 5) Kauṭilya declares the opinion

of the early masters (*āchāryas*) on a point of the law of partition to be fallacious (see Kane's explanation of this passage in *H of D*, Vol. iii, p. 589).

[2] On the constitution of the *parishat*, see Gaut. xxviii 40–9, Baudh. i 1.1.7–8.

[3] On the principle of grouping in *KA*, iv–v, the discussions of Kane, *H of D*, Vol. iii, pp. 257–8 may be usefully consulted.

[4] The alleged revolutionary departure in *KA* making the king's edict superior to the scriptures (K. A. N. Sastri, *Age of the Nandas and Mauryas*, p. 174, *A Comprehensive History of India*, Vol. iii, pp. 51–2) is not supported by facts. On this see the author's papers in *IHQ* Dec. 1952, pp. 307–11, and Sept. 1953, pp. 286–92.

[5] Pāṇ. iv 4.92 (sources of law), ibid. ii 3.39, iii 21.142, 146 ; v 2.91, ibid. 4.66 (plaintiff and witnesses). The complete data about law and legal procedure in Pāṇini's work are collected by Agrawala, *India*, pp. 416–18. For the *Jātaka* stories see below s.v. *Justice*.

[6] For summaries of the first two stories see Chapter ii s.v. *Prerogatives of the temporal ruler*, and the present Chapter, s.v. *Judicial administration in other sources*.

[7] *Jātaka refs. to severity of the penal law* : (a) No. 538, pp. 1ff (a highly virtuous prince, while still a baby sitting on his father's lap, hears the atrocious sentences passed by the king upon robbers : such punishments comprise lashing the convict with whips barbed with thorns, imprisonment in chains, striking with a spear and impalement : the prince is so impressed with this sight that thenceforth he pretends to be deaf and dumb as well as a cripple, and he sticks to this resolve till the end when he is about to be buried alive as a hopeless cripple by the king's order) ; (b) No. 193, p. 117 (story of a robber being punished with mutilation of the limbs and cutting off of his eyes and ears and thereafter being cast adrift on a river) ; (c) No. 311, p. 34 (punishment of robbers by impalement on the stake of a *nimba* tree mentioned as the prevailing custom). Other types of punishment mentioned in the stories include the trampling of criminals to death by elephants, throwing them down a cliff, amputation of their limbs and burying them in the ground up to the neck. For full refs. see *Jāt. Index*, s.v. *execution, punishment of criminals, impalement, torture.* Kauṭilya (iv 11) prescribes the penalty of death with torture for various crimes.

[8] Refs. to the administration of justice in the Vedic period are given in *HPL* pp. 18, 37, 63–4.

[9] *Refs. in Dharmasūtras* : (a) Gaut. xi 19–25, ibid. xv 26 (procedure for decision of suits by the king) ; (b) Vas. xvi 2 (judicial business to be transacted by the king or the *mantrī*) ; (c) Vish. iii 72–3 (cases to be decided by the king himself accompanied by learned Brāhmaṇas, and the king or his substitute is to be assisted by assessors). How much the assessors (*sabhyas* or *sabhāsads*) were regarded as an essential part of the royal court is proved by the texts charging them both with sin for unjust sentences. *Refs. in early Buddhist literature* : (a) *SN* i 174 (story of King Pasenadi sitting at court for the decision of suits ; (b) *DN* v 1 (story of mythical King Vipassin while still a child sitting on the lap of his father while the latter was engaged in the disposal of suits) ; (c) *Jāt.* No. 460, pp. 120-3 ; No. 151, p. 2, etc. (king described as deciding suits, court-room being called by the technical term *vinichchayaśālā* ; (d) *Jāt.* No. 257, pp. 297–300 (stories of *amachchas* testing fitness of prince for succession to throne).

[10] On the courts of villagers for the settlement of disputes about village boundaries in *KA* (iii 9), see Chapter ix s.v. *Village self-government.*

[11] On the subject of penances in the *Smṛitis* see Kane, *H of D*, Vol. iv, Chapters iii and v.

[12] We quote below the last passage in our own translation because of its fundamental importance. 'The spiritual guide (*śāstā*)', we read, 'shall order those who having been sanctified by sacraments according to the law and have gone astray through weakness of their senses to perform the appropriate penances according to the precepts : the spiritual guide shall take such persons as transgress his order to the king : the king shall send them to his *purohita* who shall prescribe penances for Brāhmaṇa offenders and in the event

of their default shall reduce them to reason by forcible means short of corporal punishment and servitude ; in the case of men of other castes the king after examining their actions may inflict any punishment extending even to death. The king shall not punish on mere suspicion, but he may punish after carefully investigating the case by means of ordeals (*daiva*) and questions (*praśna*).'

[13] On the significance of the terms *pūga* and *vrāta* after the Pāṇinian grammatical tradition, see Kāśika on Pāṇini v 3. 112–113.

[14] The recent statement by a scholar (Radha Kamal Mookerjee, *The Culture and Art of India*, p. 98) about 'the large number of self-governing courts and tribunals run by villages, cities, guilds and professions' in Kauṭilya's time is hardly supported by facts. For a discussion on this point see the author's paper (entitled *On a recent estimate of the social and political system of the Maurya Empire*) in *ABORI* Vol. 46 (1959), pp. 63–9.

[15] *Application of reason*: (a) Gaut. xi 23–4 ('reasoning is a means of arriving at truth, and the king coming to a conclusion through this shall decide accordingly') ; (b) Vas. xvi 3–4 ('the king shall not take sides and shall reason properly regarding the offence') ; (c) anonymous *Dharmasūtra* text quoted in *Smṛiti-chandrikā*, ii 1, p. 85 ('he alone and no other knows the *dharma*, who seeks the truth through reasoning'). *Consideration of relevant factors*: (a) Gaut. xii 51 (the king is to regulate punishment in accordance with the status and physical capacity of the offender and the nature of the offence) ; (b) Vas. xvi 4–5 (should the four castes stray from their duties, the king shall visit them with punishment, the punishment in cases of assault and abuse being fixed after considering various factors, namely place and time, the duties, the age and learning of the parties and the seat of the injury and in accordance with the *āgama* or canon as well as *drishṭānta* or precedent) ; (c) *KA* iv 10 (requiring the *pradeshṭā* or the magistrate to consider 'the motive and nature of the crime, the time and place, the strength, age, conduct, learning and monetary position of the offender and to ascertain whether the offence has been repeated'). *Personal hearing by the king of suits of weak and other persons*: *KA* i 19. *Qualifications of assessors and the like*: (a) Gaut. iii 74 ; (b) *KA* iii 1, ibid. iv 1 (requiring *dharmasthas* and *pradeshṭās* to be equipped with the qualifications of *amātyas*). *Moral and spiritual sanctions for strict and impartial administration of justice*: (a) Gaut. xi 25, ibid. 42 (the king deciding a law-suit justly obtains high bliss ; the king who does not slay a thief incurs sin) ; (b) Āpast. ii 5.11.4 (the king punishing the offenders gains both the worlds) ; (c) ibid. i 9.25.5 (if the king fails to punish the guilty, the guilt falls upon him) ; (d) Śaṅkha-Likhita, in Kane's List No. 317 (the thief casts his guilt upon the king who releases him) ; (e) Gaut. xii 42, Vas. ix 4, Āpast. ii 27.10.13 (king declared liable to resulting sin or guilt for not slaying a thief, or else for neglecting to punish a person deserving punishment) ; (f) Gaut. xii 12, Baudh. i 10.9.10 (collective sharing of *dosha* or fault and *adharma* or sin by the witnesses, the assessors, the suitor and the king, when there is a violation of the sacred law or of the rules relating to worldly matters, or else when there is a miscarriage of justice) ; (g) Vas. xix 40–3 (two grades of penances prescribed for king and *purohita* according as a person deserving punishment is set free and as an innocent man is punished). *Truthful depositions by witnesses*: (a) Gaut. xiii 13, Vish. viii 19–23 (forms of oath for different castes) ; (b) Vas. xvi 32–4, 36 ; Baudh. i 10.19.10–12, Vish. viii 25 (judge's admonition to witnesses) ; (c) Gaut. xiii 7, 14–23, 31, Āpast. ii 11.29.9–10, Baudh. i 10.19.16 (reward of heaven for truthful witnesses along with temporal and spiritual penalties for false witnesses). By way of exception see Vas. xvi 36, Gaut. xxiii 29, Vish. viii 15 (occasions justifying false depositions by witnesses).

Judicial procedure for trials: Vish. v 194 (king to award punishments for offences after ascertaining the class and the age of the criminal as well as the amount of damage done by him (or sum claimed by the plaintiff after consulting the Brāhmaṇas).

Ref. to āchāryas and so forth: Āpast. II 10.27.20 (the *āchārya*, the *ṛitvik*, the *snātaka* and a prince entitled to protect a criminal from punishment except in the case of a capital offence). *Legal penalties and disciplinary measures*: (a) *KA* IV 13 (should the king punish an innocent man, he must multiply the fine thirty-fold and offer it to god Varuṇa, and then make it over to the Brāhmaṇas, for Varuṇa is the punisher of wrong doers); (b) ibid. IV 9 (prescribing appropriate penalties for *dharmasthas* who 'threaten, brow-beat, send out or unjustly silence or abuse' the litigants, or who do not ask proper questions or ask improper questions, who cause unnecessary delay, who unjustly re-hear causes that have been heard or disposed of: also imposing penalties upon *dharmasthas* and *pradeshṭās* who levy a pecuniary fine upon one not liable to the same or inflict too light or too heavy a fine or else impose corporal punishment upon one exempted from it); (c) Vish. V 194ff (twice as heavy a penalty, as has been neglected on the criminal, for a wicked judge who dismisses without punishment those who deserve it and for punishing those who do not deserve it). *Institutional remedies*: Gaut. XII 38 (declaring that the general rule of loss of ownership by adverse possession of property for ten years in the owner's presence does not apply to property seized by the king's servants. This is explained by two later commentators, Haradatta and Maskarin, by the argument that occupation by the king's servants is ignored by the owner through fear); (b) *KA* IV 4 (requiring the *samāhartā* to employ the whole machinery of the secret police for the detection and arrest of *dharmasthas* and *pradeshṭās* suspected of living by underhand means).

[16] *Stories of regular judicial trials by kings and their officers and of a king's strict watch over village jurisdictions*: (a) *Jāt.* No. 131, pp. 468–9 (a king being informed of a dispute between two merchants summons both of them, and after examining them and consulting his *amachchas* orders the wealth of the ungrateful merchant to be given to the other party); (b) No. 151, pp. 2ff (description, with evident exaggeration, of two kings and their *amachchas* deciding suits so justly that the *vinichchayaṭhāna* or place of justice was deserted); (c) No. 218, pp. 181–2 (just judgment by a *vinichchayāmachcha* in a suit between two merchants after interrogation of the parties); (d) No. 257, pp. 305–7 (story of a king interrogating both an innocent man charged with crimes and his accusers, and delivering just judgments with Solomon-like directness); (e) ibid. p. 309 (king's stern warning to a corrupt *gāmabhojaka*, who had begun taking bribes and deciding cases unjustly, to decide cases justly in future). *Records of judgments by great judges*: (a) *Jāt.* No. 388, p. 292 (a wise judge sitting in the court-house and deciding cases, causes a *vinichchayapotthakam* or book of judgments to be written before his retirement and enjoins the people to decide cases in accordance with its injunctions); (b) No. 251, p. 125 (a wise parrot refuses the offer of the throne and proceeding into retirement causes the *vinichchayadhamma* or rules of justice to be written on a gold plate for future guidance). *Spiritual sanctions against dishonest litigants*: No. 541, p. 108 (description of torments in hell suffered by those who in previous lives had suborned witnesses or forsworn their debts).

[17] Refs. in the *Jātakas*: (a) No. 31, pp. 199–200 (story of a villainous *gāmabhojaka* who brings the *Bodhisatta* and his thirty companions, after they have reformed the village and deprived him of his unjust gains, under arrest before the king on a trumped-up charge of robbery and of their being sentenced to instant execution by the king: in the end the king being convinced of their innocence not only releases them but rewards them at the expense of their slanderer); (b) No. 444, pp. 29–30 (story of a thief's escape after depositing his spoil at the door of an ascetic's hut, of the ascetic's being brought under arrest by the owner before the king and of the king's sentencing the ascetic to be impaled: in the end the king, being convinced of the ascetic's innocence, orders the stake to be taken out of his body); (c) No. 332, pp. 105–6 (on a false charge of assault brought against them by a vengeful *purohita*, certain carters are summoned by the king who without inquiry ordered confiscation of their property: but at last the king after duly trying the case found the *purohita* alone to be at fault); (d) No. 505,

pp. 446–7 (a false ascetic charges a wise and virtuous prince before the king with slander and personal violence, and the king without further inquiry immediately orders his execution : when the prince, with prayers and entreaties, obtains a hearing, he has no difficulty in thoroughly exposing the character of the false ascetic : in the sequel, as if to vindicate justice, the crowd set upon the sham ascetic and beat him to death). (e) No. 120, pp. 437–40 (a licentious queen, failing to seduce a virtuous *purohita*, falsely charges him before the king with attempted violence on her person and the infuriated king immediately orders the *purohita* to be bound and put to death at the place of execution. However, the *purohita*, by his presence of mind, causes himself to be brought before the king who at his instance interrogates the queen and finds out the truth); (f) No. 472, pp. 190–6 (a virtuous prince having repulsed an offer of unholy love from his step-mother is charged by her before the king with attempted violence on her person : the king without making any investigation causes the prince to be brought under arrest before him and orders him to be thrown over the thieves' cliff : in the end the king, finding his son to have been miraculously saved from death, retires to a forest hermitage, and in a fit of repentance orders the guilty queen to be seized and cast headlong over the thieves' cliff). In this connexion compare the epigram quoted a number of times in the stories (No. 332, p. 105 and No. 444, p. 30) which joins the king deciding cases wrongly with the worldly layman and false ascetic in a common censure.

[18] Refs. (a) Gaut. XVII 17 (policemen as well as jailer included in list of those whose food is forbidden); (b) Vish. LI 9 (eating food offered by a *dāṇḍika* or policeman forbidden and penance prescribed for committing this act); (c) Pāṇini IV 4.12 (*charaka, ovaraka* and perhaps *aupanishadika* used in the sense of spies and informers); ibid. IV 4.91 (*vishya* corresponding to *rasada* or poisoner in Kauṭilya's *Arthaśāstra* I 12). This interpretation of the Pāṇinian terms is after Agrawala, *India*, p. 413.

[19] For further notices of the police functions of the *nāgarika* see Chapter IX s.v. *Town administration.*

[20] The above follows the renderings of Kane, *H of D*, Vol. III, p. 130.

[21] Cf. (a) *Jāt.* No. 468, p. 176 (a good king is credited with opening the prison doors for good and for all); (b) No. 338, p. 125 and No. 373, p. 218 (a prince after frustration of his successive plots to murder his father is thrown into prison); (c) No. 411, p. 393 (simile of a person bound in jail).

[22] The phrase 'the king's astral birthday' in the text is an abbreviation of the anniversary of the day on which the king's natal star is in the ascendant.

CHAPTER VIII

THE MONARCHIC STATE—VII. MILITARY ORGANIZATION

WE have an imperfect knowledge of the military organization of the Vedic Aryans as described in the Vedic *Saṁhitās* and the *Brāhmaṇas*. It would seem that their armies at first consisted of the nucleus of the king's armed retainers, which was supplemented by the armed tribal host. At a later stage the military profession came to be restricted to a special class or caste, namely, the *rājanyas* or the Kshatriyas. At the time of battle the chief warriors fought from chariots, while the ordinary freemen fought on foot. The use of horses (and possibly also of elephants) in war was well known. Various weapons of offence and defence were used by the warriors. Towns and villages appear to have been fortified with fences in the primitive fashion. A great development took place in the following Age. There arose a complete military system, the first of its kind in our recorded history. This involved at the highest levels the creation of a complex military administration, the evolution of new military techniques relating to strategy and tactics, as well as the production of armaments and secret weapons and so forth. Further, we come across new military sciences like those dealing with the use of weapons and the employment of elephants, horses and chariots.[1] It is not possible to enter here into all these aspects of military organization of the time. But a few outstanding characteristics may be noted.

RECRUITMENT AND MAINTENANCE OF THE ARMY

The record of the widest field of recruitment to the army known to this Age is found in Kauṭilya's *Arthaśāstra*. The army, according to this author (IX 2), consists of six classes of troops called by the titles *maula-bala, bhṛitaka-bala, śreṇī-bala, mitra-bala, amitra-bala* and *aṭavī-bala*. The clue to the composition of these groups is found in Kauṭilya's explanation. The *maula* branch, it appears, means the hard core of men bound to the ruling house by military honour and hereditary loyalty. The *bhṛitaka* branch consists of individual troopers serving for hire, and the *śreṇī* division comprises companies of men of the same category under their own commanders : the *mitra* and the *amitra* branches consist of troops of allies and enemies respectively seduced from their allegiance to their own countries by an aggressive State : the *aṭavī* branch is an irregular force of aboriginals and tribals employed along with the enemy troops for plunder.[2]

Let us attempt to connect the peculiar composition of the army above mentioned with some contemporary developments in society and the State, to which the records of this Age bear witness. *Firstly*, the States and ruling dynasties of this period had acquired sufficient stability to endure for some considerable time. This must have made it possible for the kings to gather round them a body of troops attached to them by hereditary ties. *Secondly*, we have just observed how the *Dharmasūtras*, true to the old Vedic tradition, restricted the profession of fighting to the ruling class of Kshatriyas alone. In fact the Brāhmaṇas were permitted to take up fighting as a profession only in times of distress, while the Vaiśyas and the Śūdras were altogether excluded from the same. Other records of this period, which are more true to life, give us a different picture. They point to the rise of a class of professional fighters belonging to different castes, who were sometimes joined together under their own commanders. Particular reference is made by Pāṇini (I 4.25) to Brāhmaṇa troops, while the Kāśikā on Pāṇini (V 2.21) actually mentions places of residence of professional Brāhmaṇa fighters. Kauṭilya discusses in one place (IX 2) the relative value of Brāhmaṇa, Rājanya (or Kshatriya), Vaiśya and even Śūdra troops so as to indicate that they were well-known features of military organization in his time. The characteristic designation of the professional troops in Pāṇini (IV 3.91, ibid. 4.14) is *āyudhīya*, *āyudhika* or *āyudhajīvin* (meaning men living by the profession of arms). Pāṇini similarly refers to *āyudhajīvisaṁghas*, meaning companies of men living by the profession of arms. Examples of this class are given in the text of Pāṇini's grammar (IV 3.114–15) as well as in its Appendix (*Gaṇapāṭha*).[3] A more composite class called *vārttāśastropajīvisaṁghas* (meaning men living by the joint pursuits of peace and war) is mentioned with illustrative examples by Kauṭilya (XI 1). We have a clue to the motive of an aggressive king (*vijigīshu*) in recruiting the *saṁghas* for his forces in the opening sentence of this chapter. Here, the author while arguing that the *saṁgha* is a greater asset to the king than troops or foreign allies, urges the *vijigīshu* to employ the current methods of diplomacy for winning them over to his side. *Thirdly*, one of the new developments of this Age, as we shall see in Chapter X, is the inter-linking of States as allies, enemies or even as neutrals. These States, it will be further observed, were frequently engaged in seeking to get the better of one another in the unceasing race for power. It was in this way apparently that the *vijigīshu* was tempted to seduce the troops of his allies as well as of his enemies and incorporate them into his army. *Fourthly*, it would appear from an argument in Kauṭilya (IX 2) that the services of the enemy's troops as well as of the wild foresters were utilized freely for wholesale plunder of the territory of the hostile ruler — an occupation which could not possibly be assigned to the other branches of the army in the interest of military discipline.

The six-fold force described by Kauṭilya furnishes the first instance of large-scale employment of a standing army in our country's history. Kauṭilya (V 3) assigns not only the class of military officers but also the rank and file of the army to different grades in the king's Civil List. The titles of the officers are *senāpati* (Grade I), *praśāstā* (Grade II), *nāyaka* (Grade III), *mukhyas* in charge of *śreṇīs* (*śreṇī*-branch ?) as well as elephants, horses and chariots employed in war (Grade IV), and lastly, *adhyakshas* in charge of the infantry, cavalry, chariots and elephants (Grade V). The infantry men are placed in Grade VII. Besides their salaries in cash the troops enjoyed extra allowances and benefits. A regular scale of rations was allowed to the officers as well as to the rank and file of the infantry, the officer-in-charge of the State store-house evidently being in charge of this (II 33). A special levy called *senā-bhakta* (provisions for troops) was raised apparently from the local peasantry during the army's march through the countryside (II 6). The foresters, besides being given licence to plunder the enemy's country at the outbreak of war, received allowances from the State treasury (V 3).

CREATION OF ARMY DIVISIONS AND THEIR EQUIPMENT

The use of elephants and chariots was known to the Vedic Indians, whose troops must have consisted mainly of infantry and cavalry. These units were standardized as the essential components of the army during the following period. Hence there arose the stock description of the army as consisting of four wings (*chaturaṅga-senā*).[4] In the above list the omission of the naval wing, such as would be a necessary adjunct of the fighting forces of a maritime State, is sufficiently striking. So also is the silence about a camel corps which would likewise be an indispensable substitute for the cavalry in a State largely consisting of arid areas. Nevertheless we may take the four-fold structure of the army to be a faithful picture of its composition in the majority of States during this period.

Let us pass to the Kauṭilyan organization for the supply and equipment of the four divisions. It would appear from the author's account that there was no separate army remount department for the three wings, namely, the elephants, the chariots and the horses. The civilian officer-in-charge of the State studs of horses (*aśvādhyaksha*) who was entrusted with minute supervision of all these types of animals and of other beasts of burden, was required (II 30) to select war-horses by the application of appropriate tests (see Chapter V). Another civilian officer called the *rathādhyaksha*, who was in charge of the State establishment of chariots, was required (II 33) to provide and equip war-chariots. The third officer (*hastyadhyaksha*) who had charge of the State establishment of elephants was directed (II 15) to rear and train elephants for purposes of war and sports. By contrast, a purely military officer called the *pattyadhyaksha* was entrusted (II 33) with the training and equipment of the infantry. We are told he should be conversant with the technical details about the four wings of the army, with fighting under different conditions of place and time and with the methods of clean as well as treacherous fighting. In other words, he was expected to have a thorough knowledge of the strategy and tactics of war.

The stray references in other sources to the four wings of the army and their equipment support as far as they go the foregoing account. Pāṇini (VI 2.40–1 and ibid. 3.52) mentions terms for infantry (*padāti*), cavalry (*sādi*) and the riders of camels and mules (*ushṭra-sādi* and *ushṭra-vāmi*). This last is

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an interesting reminder of his hailing from a region familiar with these animals. It is reasonable to infer that the above terms stand for the respective wings of the army. We have a hint in another text of Pāṇini (v 1.129) about the State organization for supervision of the wings. This is conveyed in the phrases *pattigaṇaka* and *rathagaṇaka* meaning, probably, the officers charged with making statistical compilations of these units.[5]

ORGANIZATION OF THE ARMY COMMAND

The king's headship of the military as of the civil administration along with the separation of the military from the civil command may be traced back to the Vedic Age. It is, however, in the *Arthaśāstra* that we come across the first great development of military command in our country's history. The king's headship of the military administration, to begin with, is taken for granted in all our sources. Kauṭilya's special point consists (viii 2) in asking the king to maintain direct control of the army (*daṇḍa*) as a measure of policy. This is justified by the serious danger of disaffection of the inner circle of the *amātyas* and especially of their innermost ring (see Chapter ii). That this direction was not a mere phrase is shown by the fact that the king is required (i 19) as a part of his daily routine to review the four wings of the army in the seventh watch of the day, and to consult the commander-in-chief (*senāpati*) on military affairs in its eighth watch. Furthermore, Kauṭilya introduces us to a whole chain of military command from the *senāpati* downwards. The three officers in overall charge of the army were the *senāpati*, the *praśāstā* and the *nāyaka*. Their relative rank is indicated by their respective grades, namely, Grades i, ii and iii of the king's Civil List (v 3), to which we have frequently referred above. This is also shown by the respective quarters (namely, the second, third and fourth divisions around the king's quarter) assigned to them in Kauṭilya's rules for military encampment. That the *senāpati* was held to enjoy a rank equivalent to that of the *kumāras* or princes is indicated in other incidental references (*KA* viii 3, ix 6). The closeness of the connexion between the *senāpati* and the *nāyaka* is indicated by two factors. On striking the camp the *nāyaka* marched in front, and the *senāpati* in the rear, with the king in the middle (x 2). Again, the troops were arranged in battle-array jointly by the *senāpati* and the *nāyaka* (x 5). For the rest, the *senāpati* was required (ii 33), as is quite natural, to acquire complete mastery of the theory and practice of the art of warfare (as is illustrated by the author in great detail), and to apply this knowledge for direction of the four wings of the army. The *praśāstā* was probably the officer-in-charge of sappers and miners. At the time of marching, the *praśāstā* with his staff of carpenters and men impressed for the service (*vishṭi*) marched in front for the purpose of securing the roads and creating supplies of water (x 4). The *nāyaka* was probably in charge of the camping arrangements (x 1).

Next to the above group of officers stood the officers in charge of the separate wings. We have to mention under this head the *mukhyas* in charge of elephants, horses and chariots, who belonged to Grade IV of the king's Civil List and the *adhyakshas* in charge of infantry, cavalry, chariots and elephants who are placed in Grade V of the same List. In another context (X 3) the chief *mukhyas* and the *mukhyas* of the four wings of the army are mentioned evidently in an order of descending rank. The *mukhyas* appear to have occupied the key position in the military command. Kauṭilya elsewhere (II 4) requires the king to place the four divisions of the army under multiple *mukhyas* as a precaution against the enemy's intrigues. Again, the weak king who is forced by his powerful adversary to accept a humiliating treaty is asked (XII 2) to sow dissensions among the enemy's *senāmukhyas* and detach them. The separate staff of officers in charge of the forces consists, in the first place, of the *antapāla*, the *durgapāla* and the *puramukhya*, the functions of the first group of these officers only being sufficiently known (see below). Another officer deserving mention in this connexion is the *śūnyapāla*, whose duties may be inferred from scattered references. When the king was threatened with disaffection among the outer ring of his officials, he placed the *śūnyapāla* in charge of different bodies of troops under many *mukhyas* (IX 3). At the time of encampment the *śūnyapāla* arrested soldiers leaving the camp without permission (X 1). The *śūnyapāla* further put down persons suspected of conspiring with the enemy (XII 2). Reference is made by Kauṭilya to still another officer called *daṇḍapāla*, but his functions are not known.[6]

In the account given above it will be seen that the characteristic feature of the organization of the military command is the formation of separate units of the four wings under their respective *mukhyas* and *adhyakshas*. We have, probably, a reference to this type of organization in Pāṇini's term *aśvapati* (IV 1.84), meaning the leader of the cavalry. A different type of organization mentioned by Kauṭilya (X 6) consists of mixed companies of troops under appropriate commanders. The late commentary on Pāṇini's grammar called the *Siddhānta Kaumudī* mentions (II 2), no doubt after the ancient grammatical tradition, terms for mixed companies of charioteers and cavalry as well as of charioteers and infantry (*rathikāśvaroham* and *rathikapādatam*). Kauṭilya (loc. cit.) mentions three tiers of officers in charge of such mixed companies. These are, firstly, the *pādika* in charge of 10 chariots and 10 elephants and a proportionate number of infantry and cavalry; secondly, the *senāpati* in charge of 10 *pādikas*, and thirdly, the *nāyaka* in charge of 10 *senāpatis*. How the *senāpati* was expected in this account to act in the comparatively minor role of a liaison officer, is indicated by the fact that his special function was to maintain contact with different units of the army by sounding trumpets and displaying ensigns and flags.

MILITARY TRAINING AND EXERCISE

The high degree of specialization characteristic of this Age found expression in the rise of a class of trainers of remounts required for the army. The *Jātakas* introduce us to elephant-trainers (*hatthāchariyas*) and trainers

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of horses (*assabandhas*). Education in the art of training elephants was not only hereditary but was communicated by master-trainers to their disciples. From the *Jātaka* stories we further learn that elephant-trainers were habitually maintained by kings.[7] The most complete account is presented as usual in Kauṭilya's *Arthaśāstra*. The prince, to begin with, was expected (I 5) after completion of his regular course of education to go through a daily training in the art of managing elephants, of horses, of riding chariots, and of using weapons (*hasty-aśva-ratha-praharaṇa-vidyā*). In the second place, the *senāpati* was entrusted (II 33) with overall training of the troops. In particular he was required to direct encampments and marches as well as the use of weapons, and to provide the troops when arranged in battle-array with their distinctive symbols through the blowing of trumpets and the display of flags and signals. Further, the *senāpati* was to apply his knowledge of the art of wielding all weapons of war and for management of elephants, horses and chariots for the purpose of guiding the disposition of the four wings of the army. In the third place, a class of trainers was created for elephants and horses and the use of chariots and was included in Grade VI of the king's Civil List (V 3). Masters of elephant-lore (*anīkastha*) were to be consulted (II 32) in the matter of providing binding instruments and accessories for the elephants. The guards of elephant forests were required to consult the same experts for the purpose of capturing the best breed of elephants for war (II 2). Qualified instructors (*āchāryas*) were appointed (II 30) to advise the officer-in-charge of horses about the accoutrements of these animals.

ARMAMENTS PRODUCTION AND STORAGE—VARIETY OF OFFENSIVE AND DEFENSIVE WEAPONS—CONTROL OF ARMS TRAFFIC

The Vedic Indians knew the use of offensive and defensive weapons like the bow and arrow, the spear and the javelin, and the mail armour. This tradition was continued in the following period. We have references in the *Jātaka* stories to a set of five weapons (*pañchāyudha*, namely, the sword, spear, bow, shield and axe) forming the normal equipment of a warrior when going forth to battle. Reference is made by Pāṇini likewise to a larger variety of weapons.[8] The highest development of arms is reflected as usual in Kauṭilya's *Arthaśāstra*. *In the first place* we are told (II 18) how a State armoury (*āyudhāgāra*) was to be constructed for the manufacture and storage of armaments. This is closely connected with the State store-house for forest products (*kupyagṛiha*). Not only were both these buildings located in a separate quarter of the city in the plan of its layout (II 4), but the *sannidhātā* was required to build the *kupyagṛiha* so as to fit its underground chamber (*bhūmigṛiha*) for use as *āyudhāgāra* (II 5). *In the second place* the officer-in-charge of the armoury (*āyudhāgārādhyaksha*) was required to keep himself in touch with all matters relating to the *kupyas* or forest products (II 18). The *kupyādhyaksha*, as we have mentioned elsewhere, constructed factories (*karmāntas*) for the requirements of civilians as well as for civic defence

(II 17). It was, however, the *āyudhāgārādhyaksha's* special function to arrange for the production of armaments by skilled and unskilled workmen (II 18). We give below in detail some of these arrangements. The employment of the workmen was to be on a contract basis, the quantity of output and duration of the service, the wages to be paid and the amount of the product to be delivered being specified in the contract. Elaborate arrangements were made for the storage of arms. They were to be kept in suitable places ; the places of their storage were to be frequently changed ; they were to be exposed to the sun and the wind ; proper care was to be taken for the preservation of the perishable articles ; their species and shape, size and source, value as well as place of deposit were to be recorded. *In the third place* we are given in Kauṭilya's work an impressive list of weapons of different varieties. The weapons were manufactured for offensive as well as for defensive purposes ('for the purpose of fighting, of the defence of forts and of destruction of the enemy's towns'). The weapons are classified under four broad heads with numerous sub-divisions. We have, firstly, the group of machines (*yantras*), which were sub-divided into two categories, namely, the immovable and the movable *yantras* ; secondly, the group of weapons (*āyudhas*) including spears and javelins, the bow and the arrow, swords and so forth ; thirdly, the group of mail armour (*āvaraṇa*); and fourthly, the group of accoutrements (*upakaraṇa*). The above list is sufficiently important to show that the pre-Maurya Age marked an epoch in the history of armament production in our country's annals. *In the fourth place* scattered references in Kauṭilya's work point to a policy of State control of the arms traffic. Thus the import of forbidden weapons (*śastra*) as well as of mail armour (*varma* and *kavacha*) was visited with a fine and confiscation of the merchandise (II 21). Again, persons travelling with concealed weapons were liable to arrest by the *nāvādhyaksha* or officer-in-charge of the water-routes (II 28). We read in another context (V 3) that all weapons and defensive armour were to be marked with the royal seal and deposited in the armoury : a ban was imposed upon the possession of arms without a licence : penalty was fixed for losing weapons and an account was kept of the lost weapons.[9]

When we turn to other sources we find an interesting reference to the current use of some of the weapons above mentioned in Pāṇini's grammar. Pāṇini (IV 4.57 ; 59 ; 241) gives us word-forms for troops armed with swords (*āsika*), lances (*prāsaka*), bows and arrows (*dhānushka*), battle-axes (*pāraśvadhīka*) and spears (*śāktīka*). He also mentions (IV 2.41) men whose bodies were protected with defensive armour (*kavachins*). (For a complete list of weapons known to Pāṇini see Agrawala, *India*, p. 421.) We have more important data in an ancient Jaina canonical text (*Uvāsagadasāo*, Vol II, Appendix 60), which, if based on genuine historical tradition, would point to two important inventions of military weapons in the time of the Buddha. Here we are told how Ajātaśatru in his war with Vaiśālī employed two new military engines called *mahāsilā-kaṇṭaga* (a catapult for hurling large stones)

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and *rahamusala* (a chariot with mace attached thereto for causing great havoc among the troops).

MILITARY DEFENCE

The first developed organization of military defence in our country's history is described in Kauṭilya's *Arthaśāstra*. As regards frontier defence we are told (II 3) that a chain of natural forts (or rather strongholds) was to be erected at the time of colonization of the waste lands for serving as gateways of the kingdom along the frontier in the four quarters: they are called *antapāla-durgas* or forts in charge of the *antapāla* (Warden of the Marches). These forts are classified under four heads: namely, the water-protected forts (*audaka-durga*), the hill-forts (*parvata-durga*), the desert-forts (*dhānvana durga*) and forest-forts (*vana-durga*). The *audaka* fort is said to be situated on an island surrounded by water or on a plain surrounded by low ground, the *parvata* fort is a rocky hill or cave, the *dhānvana* fort is situated in a waterless tract full of thickets or waste land, and the *vana* fort is said to be full of wattles and water and thickets of reed. The purpose of the first two types of forts is said to be the sheltering of the country-folk, and that of the third and the fourth types to afford shelter to foresters. They also served as a place of refuge for the king in times of danger. We may infer from the above that the four types of forts mentioned were natural strongholds utilized for giving shelter to civilians in times of danger. Reference may be made in this connexion to Kauṭilya's comparative estimate (VIII 10) of the vulnerability of the two pairs of forts, (a) *sthala-durga* (fort on a plain) and *nadī-durga* (fort on a river bank) and (b) the *nadī-durga* and *parvata-durga*, in the context of his discussion of a type of treaty between neighbouring States.

The most important means of military defence devised during this Age is concerned with the introduction of walled forts. The records of this and the following period have preserved a few historical traditions of the construction of forts by the powerful kings of the time. Ajātaśatru, king of Magadha, we are told in a Pali canonical text (*Vin.* II 1) built the fort of Pāṭali for defence against the Lichchhavis. The *Svapna-Vāsavadattā* drama of the poet Bhāsa has preserved a reminiscence of the fortification of Rājagṛiha by a later Magadha king, Darśaka, for meeting the threatened attack of the king of Ujjayinī. The recent excavations at the site of the ancient city of Kauśāmbī have revealed an advanced system of military fortifications (in the shape of moats and ramparts as well as guard-rooms and towers) belonging mostly to this Age, such as were unknown even to the builders of the prehistoric cities of the Harappan culture.[10] The most complete description of walled forts is given by Kauṭilya (II 3) in the context of his account of natural strongholds given above. From this description we learn how forts were built according to an elaborate plan with minute measurements of their component parts. These components consisted of ditches and ramparts, brick-walls, arched gateways and pathways, which were called by the technical terms *parikhā*, *vapra*, *prākāra*, *aṭṭālaka*, *toraṇa* and *pratolī* respectively. The same component parts of a fortified city are mentioned in the *Jātaka* stories. 'The fortifications consisted of walls (*pākāra*) and, at intervals, gates (*dvāra*) with towers (*aṭṭalakoṭṭhakas*) and battlements (*gopuras*) : and immediately surrounding the walls were moats and trenches (*parikhā*) which obstructed the approach of the enemies as far as practicable. In one instance, along the rampart of the city, watch-towers were constructed at the four gates and between the watch-towers three moats were dug, viz. a water-moat, a mud-moat, and a dry moat. The walls were generally built of bricks (*iṭṭhikās*), and the height did not extend beyond 18 cubits.' (Mehta, *Pre-Buddhist India*, p. 169.)

It is an index of the thoroughness of Kauṭilya's arrangements that the forts are required to be well stocked with provisions, evidently in order to withstand a long siege. Oil, grain, sugar, salt, medicines, dry vegetables, firewood, arms and other essential commodities, we are told (II 4), should be stored in the fortified cities in such large quantities as to last for several years. As regards the status of the commanders of the forts, Kauṭilya (V 3) assigns the *antapāla* to Grade III of the king's Civil List, in contrast with the *durgamukhya* who belongs to Grade IV. From a discussion in Kauṭilya's work (IX 3) we further learn that the *antapāla* ranked below the inner circle of *amātyas* (*antarāmātyas*) who themselves stood below the quartet forming the innermost circle (*abhyantarāmātya*).[11]

We may conclude from the above brief review that the construction of walled forts was one of the outstanding military achievements of this Age. Indeed, this Age may justly be called the first great Age of military fortifications known to our country's history after the collapse of the prehistoric Harappan culture.

Another aspect of Kauṭilya's plan of military defence is indicated by his references to levies on the public for military service. At the time of State colonization of waste lands (II 1), it was stipulated that the neighbouring villagers were to help each other for defensive purposes. This would point to the creation of something like a village militia for the above purpose. In the same context we are told that aboriginals and foresters were to be posted as security forces along the frontier in the interspaces between the forts of the Warden of the Marches (*antapāladurga*). In another context (II 34) we read how the services of hunters and out-castes (*Chaṇḍālas*) were to be utilized for defence in forest areas. These classes, we read, were to patrol the forest ; they were to announce the approach of hostiles and robbers by blowing conches and beating drums from their safe places of refuge ; they were to communicate to the king the movements of hostiles and robbers by the agency of swift horsemen or of carrier pigeons bearing sealed messages : at night they were to use smoke signals and relays of fires. Above all, we learn from the contents of the Grand Register of villages composed by the chief revenue officer (*samāhartā*) (II 35) that some villages were assigned on military tenure, the villagers being required to supply troops in lieu of paying taxes.

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RULES AND PRINCIPLES OF INTER-STATE WARFARE

Militarism has been a feature of the history of our people from early times. We know that wars were frequent in the Vedic Age and were fought not only between *Āryas* and *Dasyus* or aboriginals, but also among the *Āryas* themselves. In the pre-Maurya Age we notice somewhat contradictory developments in our two principal sources, namely, the *Dharmasūtras* and the *Arthaśāstra*. The Brāhmaṇa canonists prescribe a code of chivalrous fighting for the Kshatriyas or the fighting class in accordance with the law of their order. They give us a list of persons exempted from being wounded or killed in warfare along with a parallel but much shorter list of weapons forbidden in warfare.[12] These rules constitute a landmark in the history of Ancient Indian warfare. For they indicate the first notable attempt to humanize the inevitable brutalities of warfare by imposing a law of individual duties upon the fighting class. By contrast Kauṭilya, as the mouthpiece of the authors of the science of polity, sanctions in effect treacherous and even barbarous methods of fighting the enemy. Dividing fighting into two categories, namely, clean fighting and its opposite, he characteristically observes (x 3) that the king with the advantages of superior strength and of favourable place and time for fighting, and with a preliminary application of intrigues against the enemy should adopt the former type, but otherwise he should have recourse to the latter type.[13] This statement of policy and the accompanying description of its application nullifies the author's subsequent admission that fighting on proper ground and at the proper time is righteous. In subsequent chapters (xii 4–5, xiii 1–4) of his work the author demonstrates by a wealth of concrete illustrations the application of this policy. It is not possible to enter here into the details of his amazingly full description, but a few general remarks may be made. The author describes how a king should adopt various tricks for attacking the enemy at a disadvantage, how a weak king after concluding perforce a treaty with his powerful enemy should seek to nullify it by treachery and violence, how a king should methodically employ the weapons of treachery and violence for the capture of a fortress, and how an invader should use the weapons of poison, fire and the sword in the enemy's country. In the penultimate section (Section xiv) of his work the author enumerates a curious list of vegetable and mineral as well as organic substances (secret weapons) supposed to have the effect of causing instantaneous or widespread death, blindness, deafness, dumbness, madness and other diseases as well as that of poisoning fuel, fodder and water. From the above it follows that although clean fighting was theoretically held in esteem by the technical writers, they gave full scope for treacherous fight in practice. We have no historical documents or even traditions bearing on this subject. But we may presume that the directions of the *Arthaśāstra* were followed in practice by the more powerful States of the time in preference to the rules of the *Dharmasūtras*.

We turn to another aspect of the military spirit characteristic of this Age. The Vedic Aryans made use not only of hymns and prayers for success in war, but also of chants and incantations. The continuance of this Vedic tradition in this respect during the following Age is proved by the list of ritual performances for success in war in the *Śrautasūtras* (*Mān. Ś. S.* v 1.1, 14–19; 9. 17–18; *Baudh. Ś. S.* XIII 2, 9, 13; XIV 18; *Śāṅkhyāyana Ś. S.* XIII 1–XVI 26). A *Gṛihyasūtra* text (*Aśv. G. S.* III 12) requires the *purohita* to perform the necessary rites at the battle-field for the king's victory. The most important account of the preliminaries of a battle occurs in Kauṭilya (x 3). The extraordinary vividness and fulness of this description proves it to have been derived from experience of fighting between contemporary States at its highest institutional level. We are *first* told by the author how extensive propaganda is to be carried out among the troops by the king and his staff of civil and military officials for the purpose of boosting up their morale. The propaganda involves an appeal to all the instincts of the troops, namely, their credulity and superstition, their cupidity, their hope of spiritual reward and their fear of spiritual punishment. This may be illustrated by the following examples. The king describes himself as a co-receiver of wages (*tulya-vetana*) with the troops and a co-sharer with them in the spoils of the expected victory. The *mantrī* and the *purohita* quote canonical authority for the heroes' reward of the merits of sacrificial performances and the cowards' punishment in hell. The soothsayers proclaim the king's omniscience and association with the gods for heartening their own troops and for dispiriting those of the enemy. Bards and minstrels eulogize the heavenly reward for heroes and its denial for cowards as well as the family and other characteristics of the warriors. The *senāpati* winds up by announcing rewards on a sliding scale and promising increase of pay for the troopers killing the enemy king and his officers of various grades. *In the second place* a series of ritual performances are undertaken for ensuring victory in the battle. The king undergoes a ritual fast, and rites of black magic are performed in accordance with the rules of the *Atharvaveda* on the day preceding the battle. The Brāhmaṇas utter benedictory prayers for the king's success and witchcraft is performed by the *purohita's* assistants. *In the third place* the king makes a careful disposition of his kinsmen and officers as well as of his troops around his own person for the purpose of ensuring his own security at the time of fighting.

One point in Kauṭilya's description of the preliminaries of a battle given above is remarkable for its modernist aspect. Physicians equipped with surgical instruments and appliances, medicines, ointments and bandages as well as nurses with food and drink, kept ready for the comfort of the wounded troops, we read, were to be posted at the rear of the troops. This is an extraordinary anticipation of the use of the ambulance corps for medical treatment of the wounded at the battle-field in modern times. In so far as the Kauṭilyan administrative structure is concerned, we may regard the above as the military counterpart of State provision for medical relief of the public in the branch of civil administration.

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MILITARY ENCAMPMENT

We have mentioned above the rise of military fortifications as an indication of the advance in the art of war in this Age. Another index of this advance is the institution of elaborate rules about strategy and tactics such as we find in Kauṭilya's *Arthaśāstra* (x 3, 6). From the *Jātaka* stories we can infer that these rules were sufficiently familiar to find a place in popular tales.[14] In a general work of this nature it is not possible to go into these details. One branch, however, that relating to camping arrangements (x 1) illustrates so well some characteristics of Kauṭilya's military organization that it may be usefully described here. These are the qualities of extraordinary thoroughness and precision, and of strict military discipline displayed in the arrangements. The camp, to begin with, was to be pitched on a site declared to be the best according to the science of building, to be measured by the *nāyaka* and others, to be circular, square or rectangular, to have four gates and nine divisions. In the next place, disputes, drinking, the holding of merry gatherings and gambling were to be prohibited in the camp, while entry and exit were to be permitted on production of passports. Again, the dispositions of the four wings of the army and the four divisions around the royal camp were to be in the order of their relative rank and status. Thus the first or the foremost fenced quarter (*sthāna*) was to be assigned to the *maula* and the *bhṛitaka* troops as well as to the horses and chariots along with the *senāpati*. The second quarter was to be assigned to the *śreṇī* troops and the *praśāstā* as well as to the elephants. The third quarter was to be allotted to the *mitra* and *amitra* troops as well as to the *aṭavīs* and *vishṭis*, under their respective chiefs.

CHAPTER VIII

NOTES

[1] On the above see especially *KA* Sec. x, entitled *sāṁgrāmikam* (on warfare). The very valuable and detailed data contained in this section have not yet been fully studied by any scholar. For scattered references in the *Jātaka* stories see Mehta, *Pre-Buddhist India*, Sec. II, Chap. 5. On the new military sciences see below s.v. *Military training and exercise.*

[2] For alternative translations of the above terms see F. W. Thomas in *CHI* Vol. I, p. 489 and Kane in *H of D*, Vol. III, pp. 200f. Some of these translations are not acceptable on various grounds. The tr. of *maulabala* as 'hereditary troops' is too wide, and it ignores the significance of Kauṭilya's reference to this class as sharing the king's sentiments and honours and being honoured by the king (IX 2). The tr. of *śreṇībala* as 'a sort of militia or *land-wehr*' is too vague. Another rendering of the same as 'a guild of soldiers' with the explanation that 'the members of trade-guilds either themselves learnt the profession of arms or employed soldiers for protection of their merchandise and thus could be pressed into service by the king in time of need' is far-fetched and improbable. It is natural to identify this term with the *āyudhajīvi-saṁghas* ('*saṁghas* living by the profession of arms') mentioned above. The literal tr. of *mitrabala* and *amitrabala* as troops belonging to the allies and the enemies respectively is unhelpful, as it fails to suggest any explanation of their recruitment. The same objection applies to the literal

tr. of *aṭavībala* as wild tribes. The clue to the correct interpretation of the above terms is found in a passage of Kauṭilya (IX 2). There he observes that unlike the *aṭavībala* the *amitrabala* is led by commanders of *Ārya* stock, but both nevertheless should be used for plundering the enemy's territory, since their use for other purposes is dangerous like the danger from snakes.

[3] We may consider here a recent explanation (Agrawala, *India*, pp. 434–6) of Pāṇini's data relating to military organization. He classifies the *āyudhajīvi-saṁghas* (q.v.) under four heads; (a) those of the Vāhīka country (in the Punjab), (b) the mountaineers, (c) the *pūgas* and (d) the *vrātas*. This explanation is unacceptable, because *pūga* and *vrāta*, as we have shown above, were associations of castes living by peaceful or warlike occupations and were not necessarily military associations.

[4] *KA* (II 33). For *Jāt.* ref. see *Jātaka Index* s.v. *Army, its four parts.*

[5] Agrawala's tr. (*India*, p. 419) of *pattigaṇaka* and *rathagaṇaka* as accountants in charge of the infantry and the (war) chariots respectively are problematic. The same objection applies to his tr. of *ushṭrasādi* and *ushṭravāmi* as 'a camel corps' and as 'a camel and mule corps' respectively. Agrawala's rendering (ibid. p. 423) of *anuśatika* of Pāṇini (III 3.20) as 'the officer-in-charge of the commissariat' on the authority of a late Sanskrit text (*Śukranīti* II 144) is not sufficiently authenticated for this period.

[6] In the light of the above explanation the tr. (*H of D*, Vol. III, pp. 112n, and 992) of *praśāstā* as probably 'chief magistrate' and of *nāyaka* as 'probably equivalent to *nāvādhyaksha*' are unacceptable. The accompanying tr. (ibid. pp. 112, 986) of *daṇḍapāla* as 'the officer of all branches of the army' is problematic.

[7] *Jāt.* refs. (a) No. 231, p. 221 (*hatthāchariya* family); (b) No. 184, p. 67 (*assabandha*); (c) No. 163, pp. 46ff (*hatthisippa* and *hatthāchariya*); (d) No. 156, pp. 19, 22 (*hatthigopakas* or elephant-keepers and *hatthāchariyas* or elephant-trainers).

[8] For refs. to *pañchāyudha*, see *Jātaka Index* s.v. *Weapons, four kinds.* On *Yantapāsāṇa*, see *Jāt.* No. 182, p. 94. For refs. to *mahāsilākaṇṭaga* and *rahamusala* see below, s.v. *Military defence.*

[9] The text of *KA* (V 3) quoted above because of its exceptional importance is quoted below in full: *kṛitanarendrāṅkaṁ śastrāvaraṇamāyudhāgārāṇi praveśayet aśastraschareyur-anyatra mudrānujñātāt nashṭāṁ vinashṭaṁ vā dviguṇaṁ dadyāt viddhastagaṇanam na kuryāt.*

[10] On the above see the work *Excavations at Kauśāmbī*, 1957–9 (Allahabad, 1960) by G. R. Sharma, especially his chap. 3 entitled 'Fortifications of Kauśāmbī', pp. 26–41. The author's dating of the fortifications is as follows:

c. 885 B.C. — Beginning of the first moat.
From c. 1100/1000 B.C. to c. 600/500 B.C. — Rampart I
From c. 600/500 B.C. to c. 300/200 B.C. — Rampart II
c. 325 B.C. — Beginning of the system of guard-rooms and towers.

[11] Refs. to *durgapāla* and other military officers in *KA*: (a) I 12 (*durgapāla*, *antapāla* and *daṇḍapāla* are included in list of 18 top-ranking officials, called *tīrthas*); (b) I 16 (king's envoy is instructed to start intrigues with enemy's *aṭavīpāla* and *antapāla*); (c) V 6 (king is required to conciliate disaffected *mukhyas* in charge of forts and forests in the crisis created by the sudden vacancy of the throne); (d) XIII 3 (*durgamukhya*, and other *mukhyas* are to be collusively banished by the king in order to operate as his secret service agents in the enemy's kingdom); (e) XIII 5 (*antapālas* to be employed for destroying the enemy's troops).

[12] Cf. (a) Gaut. X 18, stating that wounding or killing foes in battle is no sin except in the case of those 'who join their hands (in supplication), those who flee with flying hair, those who sit down with averted faces, those who have climbed (in flight) on eminences or trees, messengers, and those who declare themselves to be cows or Brāhmaṇas'; (b) Āpast. II 5.10.11, imposing a ban on slaughter of those who have laid down their arms, of those who beg for mercy with flying hair or joined hands and of fugitives; (c) Baudh. I 10.18.10–11, imposing ban on use of barbed or poisoned

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weapons and on fighting those who are afraid, intoxicated, insane or out of their minds, those who have lost their armour, women, infants, aged men and Brāhmaṇas.

[13] In the above context Kauṭilya thus explains the significance of three types of fighting. Clean fight is one which takes place at a time and place fixed by common consent. Treacherous fight means a fight by causing alarm, by attack, and by shifting the ground of battle. Secret fighting means a fight with intelligent use of secret weapons. In another place (XII 1) Kauṭilya mentions two types of fighting, namely, *mantra-yuddha* ('battle of intrigue') and *kūṭa-yuddha* ('treacherous fight').

[14] Cf. *Jāt.* No. 283, p. 406, No. 492, p. 345 (three kinds of *vyūhas*, namely (a) *paduma* or lotus, (b) *chakka* or wheel, (c) *sakaṭa* or wagon).

CHAPTER IX

THE MONARCHIC STATE—VIII A. LOCAL GOVERNMENT AND B. A GENERAL SURVEY

A. LOCAL GOVERNMENT

IN the foregoing chapters we have endeavoured to review in the light of available data the organization of the central government of the monarchic State in all its branches during the pre-Maurya period. We have now to notice the accompanying development in the branch of local government among these States.

The records of this Age bear witness to the territorial divisions and the local settlements known to our people at that time. The territorial divisions are called *janapada* in the generic sense and *vishaya*. The evidence seems to suggest that while *janapada* was generally understood in the sense of territory belonging to a particular kingdom, *vishaya* was taken more vaguely to mean a geographical area.[1] The town was called *nagara* in a general sense and *durga* in the sense of a fortified urban area. More technical terms for towns used by Kauṭilya are *sthānīya*, *droṇamukha*, *kārvaṭika* and *saṁgrahaṇa* of which the significance will be explained presently. The market town and the port town were known as *pattana*, and more fully as *paṇyapattana*. The village was called *grāma*, while hamlets were known by such titles as *ghosha* and *kheṭa*. The number of *janapadas* and *vishayas* as well as of towns and villages, which occurs in Pāṇini's grammar and still more in *Gaṇapāṭha* (Appendix) is sufficiently impressive. With this list may be compared the statistical lists of towns in the Indus valley on the eve of Alexander's invasion which were prepared by his Companions partly, at least, from direct observation.[2]

PATTERNS OF LOCAL GOVERNMENT IN THE PRE-MAURYA AGE

We have an imperfect knowledge of local administration in the Vedic Age. It is to the following Age that we can trace the first known system of local government linked closely with the central administration. This system is most fully developed in Kauṭilya's work. The characteristic feature of the *Arthaśāstra* pattern of local government is the constitution of the rural area (technically called *janapada*) and the urban area (technically known as *durga*) as two distinct units for purposes of local administration. This was no doubt due to the fact that distinctive administrative problems were presented by the two areas. The parallel structure along with the administrative machinery may be indicated in columnar form as follows:

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1. Whole *janapada* in charge of the *samāhartā* and the *pradeshṭā* (q.v.).	1. Whole *durga* in charge of the *nāgarika*.
2. 4 units, each consisting of ¼th of the *janapada* and placed in charge of a *sthānika* (q.v.).	2. 4 units, each consisting of ¼th of the *durga* and placed under a *sthānika*.
3. An undefined number of units, each consisting of 5 or 10 villages in charge of a *gopa* (q.v.).	3. An undefined number of units, each consisting of 10, 20 or 40 families (*kulas*) in charge of a *gopa*.

An alternative structure of rural administration is mentioned by Kauṭilya (II I) in the context of his project of development of the waste lands. This consists of an expanding series of administrative divisions starting from the single village at the bottom, and reaching through the intermediary units of 10, 200 and 400 villages to the highest unit of 800 villages. The headquarters of the last 4 units are respectively called *saṁgrahaṇa*, *kārvaṭika*, *droṇamukha* and *sthānīya*. A similar structure of rural administration consisting of an ascending series of 10 and 100 villages and the whole *janapada* or rural area is found in Vishṇu (III 7, 15), a passage which will be more fully dealt with below. It is evident that the latter structure, because of its mathematical precision, unlike the former, could have practical application in a somewhat general sense. It remains to mention that no historical document or even tradition is available to corroborate or supplement the Kauṭilyan pattern of local administration.

RURAL ADMINISTRATION

The three important branches of rural administration in Kauṭilya's work are : firstly, law and order ; secondly, land-revenue ; and thirdly, administration of justice.

As regards the first branch, it has been shown elsewhere how the *pradeshṭā* was expected (ibid. IV 6) in association with his staff of *sthānikas* and *gopas* to track down thieves within his jurisdiction. It has also been shown how the *samāhartā* was required (ibid. II 35) to depute his spies to cover the whole countryside and report on the movements of thieves, desperadoes and enemy agents. As we have seen the *samāhartā* was required (IV 4) to extend his network of spies over the whole rural area for the purpose of reporting on the good or bad behaviour of village authorities and *adhyakshas*. It has been shown how a chain of rural officials within their respective well-defined jurisdictions was held individually responsible for protection of the merchandise of traders passing through the villages (IV 13). (See Chapter VII s.v. *Police*.)

In so far as the second branch is concerned, we have seen elsewhere how the *samāhartā* was required (II 35), in the light of the elaborate statistical reports of his subordinates, to prepare his Grand Register of villages in the kingdom. This was to contain an abstract statement of the revenues or other dues payable and of remissions enjoyed by the villagers (See Chapter VI). Further, the king's local treasury or store-house was expected (II 3) to be located at the *sthānīya*. Coming to the last branch which deals with the administration of justice, we have seen how benches of three *dharmasthas* (q.v.) sat at the junction of two *janapadas* and at the headquarters of 800, 400 and 10 villages for the decision of civil and criminal cases (See Chapter VII s.v. *Justice*).

A much less complete account of rural administration, which deals only with the branch of law and order, is found in the *Dharmasūtras*. A text of Vishṇu (II 17.15) requires the king to appoint a chain of officials in charge of the single village and groups of villages. They had the functions of maintaining peace and order in a regular sequence according to the exigencies of the situation.[3]

VILLAGE ADMINISTRATION IN THE PRE-MAURYA AGE

We have referred above to the great growth of villages and towns in the pre-Maurya period. This was probably due to two factors : firstly, the rise of an organized State administration ensuring peace and security over large areas for considerable lengths of time ; and secondly, the advance in agriculture, industry and trade. The clue to the modes of formation of the villages and the towns has been sought by a recent Indian scholar in the nomenclature of these units in the *Gaṇapāṭha*. From this we learn that the towns or the villages were formed after the names of their founders, their economic products, the residence of a particular person or community, or proximity to a known object.[4] However, we know from Kauṭilya (II 1–4) that the *grāma*, the *pattana* and the *durga* were deliberately founded by the State in the course of its project for development of the waste lands.

Our knowledge of village administration in the Vedic Age is exceedingly scanty, because of the obscurity and ambiguity of the texts. If the *grāmaṇī* mentioned in the *Ṛigveda* and still more often in the later Vedic *Saṁhitās* and the *Brāhmaṇas* may be correctly rendered as a village headman, it would seem that the village functioned even in those times as the lowest unit of the State administration. Again, it seems likely that the *grāmyavādin* whose office is known to us from three *Yajus-Saṁhitā* texts (*TS* II 3.1.3, *KS* XI 6, *MS* II 2.1) meant a village judge.[5] Coming to the following Age, we find that persons accused of crimes are normally stated in the *Jātakas* to be arrested by the local people and taken before the king for trial.[6] From the above it would appear that village administration in the proper sense of the term had not developed in the less advanced monarchical States of the time. This inference is justified by the fact that the village is held in other stories to be administered by the *gāmabhojaka* (lord of the village), no doubt by assignment of the king's administrative rights to this person.

The first clear account of a system of village administration is found in the *Dharmasūtras* and in Kauṭilya's *Arthaśāstra*. A text of *Āpastamba-*

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Dharmasūtra (II 10.26.4–9) not only refers to officials in charge of villages, but clearly defines their jurisdiction and functions. This description is continued in the text of Vishṇu (III 7.15) quoted above. In Kauṭilya's *Arthaśāstra* the village administration is entrusted to a headman (*grāma-svāmī*, *grāmika* or *grāmakūṭa*). He was charged in the first place with the protection of person and property of villagers. How strictly this obligation was sought to be enforced is proved by the clause of law (IV 13) requiring him to restore the value of the merchandise of passing caravans who had made a declaration of the same, if it was stolen or carried away at night, but not taken beyond the bounds of the village. In the second place, the headman in association with the body of villagers discharged the functions of a magistrate for dealing with serious crimes. Abuse of this privilege was sought to be prevented by the clause of law (III 10) visiting the headman individually and the body of villagers collectively with fines for expelling (from the village) one who was not a thief or an adulterer. In the third place, the headman was required to undertake official tours, probably for communicating reports to his superiors or for obeying their mandates. When proceeding on these tours he had the right of being attended by villagers in relays. Neglect of this duty made each villager liable to a fine at a fixed rate per *yojana* (q.v.). The headman's social status was sufficiently respectable to allow a wife persecuted by a husband to take refuge with his family (II 7). Fourthly and lastly, an elaborate procedure is prescribed (IV 4) for the detection and punishment of the headman caught in the act of harassing wealthy individuals at the instigation of *agents provocateurs* set upon them by the *samāhartā*. We have no clue to the method and tenure of appointment of the headman in Kauṭilya's work. It is probable that he held office by hereditary succession, subject to confirmation by the authorities on taking up his job.

A unique branch of village administration in Kauṭilya's work is concerned with the preparation of elaborate inventories of villages and statistical lists of tenements and families belonging to them (II 35). This work was done under the supervision of the *gopa*, the officer-in-charge of five or ten villages, on very thorough lines. The register of villages, for instance, was to contain in serial order the list of tenements (*vāstu*), of arable lands of several varieties (cultivated and fallow plots, as well as lowland and upland plots), gardens of two kinds (flower and fruit gardens), pastures and woodlands, embanked reservoirs, cremation-grounds and pathways, the places of charity for the distribution of food and drinking water, and the shrines of deities and sacred trees. It is probable that the occasion for the headman's tours just mentioned was the conveyance of these statistical reports about his village to the *gopa*.

WORKING OF VILLAGE SELF-GOVERNMENT IN THE PRE-MAURYA PERIOD

Before leaving the subject of rural administration it seems desirable to consider how far the institution of village self-government was developed during this period. We may begin by quoting the scattered references in Kauṭilya's work. Firstly, under the head of law called *Non-performance of agreements* (III 10) State benefits are promised to those co-operating with the State for the construction of embanked reservoirs beneficial to the whole countryside, for improvement of communications, for beautification of the village, and for its defence. By contrast various penalties are prescribed for one not contributing his share of food to the village festivities, not paying his share of the contribution to the village entertainments, not listening to the advice of well-wishers of the collective group, and still more for hurting or killing persons of the above category. Secondly, in connexion with the programme of State development of waste lands (II 1) we are told how adjoining villages were expected to be ready for mutual defence. Further, the village elders were required to guard the property of minors and of temples. In the third place, under the title of law dealing *inter alia* with boundary disputes (III 9) we read that disputes of this kind between two villages were to be settled by the elders of five or ten adjoining villages, or else by men of experience. Fourthly, we have seen above how villagers were made jointly responsible with the village headman for the offence of expulsion of one who was not a thief or an adulterer (III 10). It seems reasonable to infer from the above that village assemblies functioned under the central administration for various public purposes, such as the construction of public works, general improvement of the village, village defence, and security of person and property. The village elders, particularly, acted as guardians of the property of minors and of temples. Groups of villagers in the vicinity helped to settle disputed village boundaries. The village assembly had a regular constitution with the *grāmika* at the head and a body of advisers for its guidance. From the fact that the unit of five or ten villages just mentioned corresponded exactly with the jurisdiction of the *gopa* (q.v.), it may be presumed that this officer presided over suits regarding the settlement of village boundaries. This presumption is supported by the fact that some State authority would be required to summon the body of villagers for the purpose.

Let us now turn to the evidence of the *Jātaka* stories which give us vivid accounts, no doubt taken from life, of the working of the village assemblies. In the first story (No. 302, p. 8), we hear of thirty officials (*rājasevakas*) inhabiting a frontier village who are found by their refugee king to have gathered in the early morning in the midst of the village for the transaction of village affairs (*gāmakichcham*). In the second and more important story (No. 31, pp. 199–200) we have a vivid description of the progressive improvement of moral and material conditions carried out by a body of villagers on the initiative of a supremely wise and good being in their midst. We are also told how this public-spirited body of men narrowly escaped death by the king's sentence through machinations of the evil local magnate.[7] The conclusions that seem to follow from the above stories are the following. Firstly, the village assemblies for the transaction of local affairs were known

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even in frontier villages and hamlets. Secondly, the assemblies were attended chiefly, if not exclusively, by the heads of the resident householders: their number which was barely thirty in hamlets and frontier villages must have been relatively large in other villages. Thirdly, it was possible for a public-spirited member of the assembly, by his own example and enterprise, to lift even a hamlet from the exceedingly primitive arrangements of its assembly meetings, and to carry out village improvement on a large scale. Fourthly, the institution of village self-government rested on shaky foundations because of the insecurity of life and property under the prevailing methods of State administration.[8]

TOWN ADMINISTRATION

We have vague references to towns and their administration in the Vedic Age, from which it would seem that these were not of much importance at that period. It is to the pre-Maurya period that we can trace the first great urban movement in India's historical period following the collapse of the pre-historic urban civilization of the Indus Valley. The records of this period contain numerous references to towns.[9] The rise of towns and cities, to which these records testify, seems to have been due to the operation of political, military, economic and other factors. Firstly, the territorial States had more or less fixed capitals, which necessarily became centres of trade and industry. Lists of such capital cities are found in the early Buddhist literature as well as in the later Epic and Paurāṇic tradition. Secondly, towns sometimes grew up around fortresses, the most conspicuous example being the rise of Pāṭaliputra around the nucleus of the Pāṭali fort which was built by King Ajātaśatru for defence against the Lichchhavis. Thirdly, industrial and commercial towns arose at convenient centres along the great highways of trade and commerce by land- and water-routes. Fourthly, the sanctity earned by some selected localities helped to raise them to the status of towns.

As a rule, the towns of this period appear to have been built on a regular plan. From the *Jātakas* we learn that they were encompassed by walls which were pierced in the middle by four gates at the four cardinal points. From a reference in Pāṇini (IV 3. 86) the city gates appear to have been called by distinctive names after the towns of their destination. A particular *Jātaka* story introduces us to a new science, *vatthuvijjā* (Skt. *vāstuvidyā*) or the art of constructing buildings, of which the masters (*vatthuvijjāchariyas*) were consulted by kings in building their palaces.[10] The first clear reference to State planning of the capital city and its public buildings is made in a text of *Āpastamba-Dharmasūtra* (II 10.25. 2–6). Vishṇu (III 4–6) refers likewise to the State planning of the capital city and its fortifications.[11]

The fullest development of urban administration during this period is recorded as usual in Kauṭilya's work. The scattered and mostly incidental notices in other sources tend partly to confirm and partly to supplement the data of the *Arthaśāstra*. We may summarize Kauṭilya's description under three heads :

1. Plan of foundations of towns.
2. Machinery of town administration.
3. Working of the administration.

As regards the first point the author describes (II 4) in connexion with his comprehensive programme for the development of waste lands, the whole process of creation of the town, from a scratch to the size of the capital city of a powerful State like those known in his time. The plan of construction seems to mark the revival after many centuries of oblivion of the glories of town-planning characteristic of the Indus Valley civilization. A complete series of roads is envisaged as the framework of the whole structure. This consisted of six royal roads (*rājamārga*) of which three ran from east to west and three more from north to south ; these were all provided with gateways (altogether twelve in number) at the outer extremities. Other roads were earmarked for vehicular as well as for passenger traffic of different kinds and for the passage of large as well as of small animals. A scale of width was prescribed for each group of roads. The palace was to occupy one-ninth of the whole area of the capital and was to be built so as to face east and north. Around it at all cardinal points of the compass were located the quarters allowed to the four recognized castes of the Brahmanical society, to the principal State officers and their offices, to traders and professionals of various categories, and even to the studs and stables of domestic animals on the royal establishment. Separate sites were also provided for the temples of various Brahmanical deities There were to be separate funeral grounds for the upper and the lower castes, the residences of out-castes being fixed in the city outskirts in the neighbourhood.

Kauṭilya's scheme of town-planning sketched above throws light upon some characteristic features of metropolitan cities at the time. Firstly, it would appear that the cities contained a very mixed population consisting of the familiar castes and orders of the orthodox society as well as of heretics and out-castes. They likewise harboured numerous trades, crafts and professions such as would characterize the advanced social and economic organizations of the time. These castes and professions were allotted different quarters, no doubt in the current spirit of localization of trades and occupations. In the second place, the cities possessed all the paraphernalia of a highly centralized administration, consisting of various State offices and officials. In the third place, the cities were adorned with temples which testified to the piety of the townsmen. Among these temples two were of particular interest, namely, that of the city goddess and that of the presiding deity of the royal dynasty. The former was doubtless the symbol of the unity of the city, and the latter that of its ruling authority in the religious garb characteristic of early societies.

As regards the second point, the machinery of town administration was deliberately devised (II 36) to follow the rural pattern. There were to be three tiers of officials with equivalent or identical designations, namely, the *nāgarika* (corresponding to the *samāhartā*), the *sthānikas* and the *gopas*. Following the same parallel, the *nāgarika* was placed in charge of the whole city (*nagara*), each of the *sthānikas* held charge of one-fourth of its area, and each of the *gopas* was at the head of 10, 20, or 40 households (*kulas*). The *nāgarika*, we are further told (II 36), was to look after the affairs of the *nagara* after the fashion of the *samāhartā* watching those of the *janapada*. We read elsewhere (IV 6) that the *pradeshṭā* and the *nāgarika* with their respective staffs of *sthānikas* and *gopas* were to track down thieves according to the prescribed procedure inside and outside the city limits respectively.[12] (See also Chapter VII s.v. *Police*.)

As for the third point, the branches of town administration after Kauṭilya's account may be described under the following heads :

1. Maintenance of law and order.
2. Building and sanitary regulations as well as fire-insurance.
3. Compilation of a census of the citizens.
4. Administration of State offices relating to civic affairs.

As for the maintenance of law and order, we have elsewhere observed (Chapter VII s.v. *Police administration*) how the *nāgarika* was required (IV 6) to follow an elaborate procedure for the purpose of detecting thefts. Further, the *nāgarika* had to report apparently to the *pauravyavahārika* for trial of all crimes committed within the city limits during the night-time : the *nāgarika* was also required to enforce what may be called curfew regulations at fixed hours (II 36). A trumpet was sounded at fixed hours in the first and the last watches of the night by way of imposing or ending the prohibition of public movement. Breach of this warning was visited with a scale of fines varying according to the time of its occurrence. Even during the nights of free movement persons going about in disguise or wrongly dressed and those carrying weapons, were examined. The stringency of this rule was modified by exemptions in favour of persons going out for occasions like treatment in labour cases, the witnessing of licensed shows, or fighting an outbreak of fire ; exemptions were also made in favour of those armed with sealed permits. Abuse of authority by watchmen was sought to be prevented (IV 9) by means of various penalties for the offence of arresting a man with a permit or neglecting to arrest a man without one and especially for violence against women. Further precautions were provided (II 36) by the public obligation of reporting to the *nāgarika* all cases of lapses during night-time as well as of those committed by the watchmen. In the next place, the *nāgarika* was charged (II 36) with the duty of constant inspection of various places of public utility and to keep guard over property lost or left by the original owner. To the above we have to add the stringent regulations mentioned elsewhere (Chapter VII s.v. *Public obligation of watch* *and ward*) for compulsory reporting on new arrivals by persons in charge of various public institutions as well as by private individuals.

We now turn to the building and sanitary regulations as well as to the scheme of fire-insurance which, it is hardly too much to say, mark a new epoch in the history of municipal administration not only in our country's ancient history, but also in the history of the ancient world. In the course of his description of the layout of the capital city (II 1) to which repeated reference has already been made, we read that the industrial and the agricultural area ('the area of workshops and fields belonging to the householders'), evidently in the vicinity of the city, were to be demarcated. Fruit and flower gardens were to be planted and crops were to be grown within the same area with official permission. Wells were to be dug at regular distances of 10 *kulas* (this term meaning probably as much land as can be cultivated by a team of 10 bulls or else by a ploughshare of intermediate quality). We also read (II 36) how accumulation of dirt on the public roads, and their obstruction with muddy water, were to be visited with fines, the penalty being double for committing the offence on the royal roads: an ascending scale of fines is prescribed for committing nuisance at sacred spots and at the watering places, in temples and in State buildings, exemptions being granted for performing this act under unavoidable circumstances. The throwing of carcases of animals and corpses of human beings, bearing corpses along roads and through gateways other than the prescribed ones, burying or cremating corpses in places other than the cremation-grounds, all these offences were punished with fines. Finally, kindling a fire in day-time was forbidden during prescribed hours of the summer season; a list of fire-appliances was to be kept ready for possible use at every household: thatched houses were to be removed: those living by occupations for which fire was needed were to be segregated: thousands of water-jars were to be kept ready on public streets, at road crossings, at the city gates and in State buildings: householders and their tenants not rushing forth to extinguish a fire, and those carelessly causing its outbreak, were punished with heavy fines: the incendiary was to be thrown into the fire by way of punishment.

As regards the remaining items of municipal administration we have observed elsewhere (Chapter III s.v. *State records and registers*) how a census of the citizens under different heads was required (II 36) to be prepared by the *nāgarika* and his staff. This list must have been revised from time to time. We have further observed in the course of the previous chapters (II 5, 11, 15, 21) that detailed rules were laid down for the working of offices like the city custom-house (*śulkaśālā*), the State treasuries and store-houses (*kośagṛiha* and *koshṭhāgāra*) inside the city, and the city-jail (*bandhanāgāra*). We have further seen how provision was made for holding the city court under the civic judge (*pauravyavahārika*). (Chapter VII s.v. *Justice*.)

We have some information about the working of port offices at the great port towns (*pattanas*). We read in one place (II 28) that merchants were to pay customs duties (*śulka*) at the rate of one-fifth or one-sixth of the value of merchandise, according to the current regulations of the *pattana*. In the same context the officer-in-charge of water-routes (*nāvādhyaksha*) is enjoined to enforce the port regulations (*pattanacharitra*) as recorded in the register of the port officer (*pattanādhyaksha*). In another chapter (II 16) merchants desiring to transport their merchandise by boat to a foreign land are warned beforehand to bear in mind the regulations in force at the port. We may infer from the above that each important *pattana* had its port officer who was charged with maintaining registers for recording the port regulations, that these regulations were binding upon merchants arriving at the ports by water-routes, and that one item of these regulations related to the rate of the customs duties levied upon the incoming merchandise.

URBAN ADMINISTRATION IN OTHER SOURCES

We may now supplement the ample data in Kauṭilya's *Arthaśāstra* with such information as is available in other sources. We have the evidence of the text of *Āpastamba-Dharmasūtra* (II 10.26. 4–8) quoted earlier in this chapter. From this we learn that State officials were placed in charge of towns as well as of villages for the maintenance of law and order. The jurisdiction of town officials extended in every direction to a distance of one *yojana* (q.v.). Like the village officials they were personally responsible for protection of property.[13] Furthermore some information can be gleaned from scattered notices in the *Jātakas*. The *nagaraguttika* or the officer-in-charge of the city was required 'to guard the city, especially during the night, to arrest thieves and questionable personalities and to carry out sentences of punishment. At night-fall the gates of the city were closed by the gate-keepers who called out three times before doing so, and the city-guards patrolled the streets. Probably a drum was sounded to the night-watches which were three. The *nagaraguttika* wore round his neck, as a badge of his office, a wreath of red flowers: he was king by night' (quoted from *Pre-Buddhist India* by Ratilal Mehta, p. 172). This description recalls the list of duties ascribed to the *nāgarika* under the heading of 'law and order' in Kauṭilya's *Arthaśāstra*, as has been mentioned above. From a *Jātaka* story (No. 318, pp. 59–60) we further learn that the *nagaraguttika* was not above taking bribes for favouring a client to the extent of substituting an innocent man for a condemned criminal marked out for execution.[14]

B. GENERAL SURVEY OF MONARCHIC CONSTITUTIONS

1. BRANCHES OF THE KING'S ADMINISTRATION

We may pause here to offer a general survey of the constitutions of the monarchic States in the light of the data presented in the foregoing chapters. We have seen how the king appears from all our sources to have been at the apex of the State administration, as being the head of its executive, judicial and military branches. The King's Peace and the King's Justice are recognized as prevailing throughout the kingdom. In so far as the executive administration is concerned, the king is by and large shown as ruling the kingdom in consultation with his ministers and with the help of his officials. Kauṭilya, the greatest exponent of Indian political ideas during this Age, says consultation with ministers is the preliminary of all (the king's) acts (I 15). The king's acts, we are further told (I 9), have to be performed simultaneously : they are numerous and they are scattered at different places, and therefore the king has to execute his orders through the officials (*amātyas*) lest there should be errors and delays. In other words, the *amātya's* office is justified by the number of governmental functions as well as their wide distribution. Kauṭilya, indeed, provides for the king's fullest consultation with two distinct bodies of ministers, namely, the smaller group of *mantrīs* and the larger *mantri-parishad*. On the other hand, the king, according to the same authority, should not be bound by the decision of the ministers, but he should exercise the widest discretion to act according to his own judgement and according to the necessities of the situation. Kauṭilya's direction to the king in another context (I 7) to fix up the *amātya* and the *āchārya* (or spiritual preceptor) as self-imposed limits on his authority, on the ground of their capacity to restrain him from a harmful course of action, must be regarded as a counsel of perfection and nothing more. We can reasonably conclude from the above, firstly, that the *mantrīs* were a deliberative body in the monarchic polity, whose advice was not binding upon the king ; secondly, that the *amātyas*, however wide and intensive the range of their functions might be, were essentially the servants of the Crown and owed their continuance in office to its favour. Turning to our other sources, we have a quasi-historical reference in a Pali canonical text (*Vin.* II 140) to the act of King Bimbisāra of Magadha in disqualifying, degrading and promoting his *amātyas* according to their respective interpretations of the law of treason in a particular instance (Chapter II s.v. *Role of mantrī*). The stories in the *Jātakas* indicate, as we have seen above, that the *amachchas* on occasions could shape the king's internal and foreign policy and in special circumstances could even settle the succession to the throne. It has further been observed how an individual *amachcha* by dint of his genius could make himself for a time at least the *de-facto* ruler of the realm. The same stories, however, show that the king habitually decided questions of policy without even consulting his *amachchas*. It follows from the above that such influence as was exercised by the ministers depended upon their personality and not upon established law or usage. This conclusion is not contradicted by the vague and general epithet *rājakṛitva* in Pāṇini III 2.95 or *rājakattāro* in *DN* Vol. III, No. XIX (*Mahāgovinda Suttanta*, p. 233), both epithets meaning a king-maker (see Chapter II).

Let us pass to the branch of the king's judicial administration. The king in the *Dharmasūtras* is required to be assisted in the administration of justice by assessors. He is probably expected likewise to consult the *purohita* in difficult cases. In fact we find that the king along with the assessors and the *purohita* is made liable to a penance for setting free the guilty, and still more, for punishing the innocent. In Kauṭilya's *Arthaśāstra* the king is asked to take the help of non-official learned Brāhmaṇas in disposing of suits of a special character at the public audience everyday. But no mention is made of his association with assessors in the dispensation of justice. The procedure of the King's Court alike in the *Dharmasūtras* and the *Arthaśāstra* is marked by elaborate rules for ensuring a regular judicial trial. Legal and other sanctions, again, are provided for preventing the king from passing unjust sentences in criminal trials. In Kauṭilya's *Arthaśāstra* appropriate penalties are laid down for the subordinate judiciary guilty of lapses in judgments. Coming to the other sources we find how a Pali canonical text pays tribute to the king's impartial judgment in civil and criminal cases. We are told in the *Jātaka* stories, how the unjust judgments of the subordinate judiciary were often set aside by the act of arbitrators at the choice of the aggrieved party, and how this act was subsequently ratified by the king. The majority of the stories, however, show that the king habitually passed summary sentences on alleged criminals, these sentences often being subsequently revoked by his own better judgment. It is remarkable that no reference is made in the *Jātakas* to the king's association with assessors in the course of the trial (see Chapter VII s.v. *Law and justice*).

We now pass to the administration of law and legal procedure in the monarchic States of this period. A fundamental idea of the *Dharmasūtras* is that the king is subject to the rule of law, meaning the law of the social order as well as the State law laid down in these works. In fact, the whole range of the king's functions relating to the State administration is comprised specifically within the scope of the codes of laws in these works. The sources of the law of the social order as well as of State law are declared by the authors to be the Sacred Canon and approved custom, thus making them altogether independent of the king's will. We have seen how these ideas of the sources of law are repeated and amplified in Kauṭilya's work. The king's liability to the rule of law is specifically illustrated by Kauṭilya's clause making him liable to a self-imposed fine for unjust sentences. The same idea is conveyed in the penances imposed upon the erring king in the *Dharmasūtras*. It may, however, be added that Kauṭilya shows a certain tendency to circumvent the above clauses in the interest of the State. This is illustrated by his measures for raising the revenue during the king's emergency by the enhancement of the standard rates of taxation and the adoption of force and fraud (see Chapter VII s.v. *Extraordinary revenue*).

2. INFLUENCE OF THE ORDER OF BRĀHMAṆAS AND ESPECIALLY OF THE PUROHITA

The two fundamental features of Vedic society and State were the separation of the spiritual from the temporal power and the pre-eminence of the spiritual order on the social plane. To these have to be added the exceptional status of the king's *purohita* or domestic chaplain, who is characterized in different texts as the king's *alter ego* and as the guardian of the realm. The above features are reproduced and amplified in the society and State depicted in the *Dharmasūtras*. These works, while prescribing the distinctive duties and occupations of the four classes of the Brahmanical social system, emphasize the pre-eminence of the Brāhmaṇas over all the rest. The king, according to Gautama (XI 13) and Baudhāyana (I 10.18.8), is to abide by the instructions of the *purohita*. According to the still more direct injunction of Kauṭilya (I 9) the king must obey the *purohita* in the fashion of a student obeying his teacher, a son his father and a servant his master. In the same spirit the king is admonished to humble himself before his (Brāhmaṇa) superiors and preceptors (*gurus* and *āchāryas*) as well as before his ministers (*amātyas*). Āpastamba says that the king should avoid a standard of living superior to that of his *gurus* and *amātyas*. How the king's submission is justified by his own interest is shown by a comment of Kauṭilya (I 7). We are here told that the king should consider the *āchāryas* and the *amātyas* as self-imposed limits on his authority : for they alone can restrain him from a harmful course of action and coerce him to follow the prescribed routine of his duty in the event of his going astray. Turning to the other side of the picture, we have referred elsewhere (Chapter IV s.v. *The Brāhmaṇa pattern-State*) to the challenge presented to the Brāhmaṇa claims by the exponents of the doctrine of the superiority of the Kshatriyas to the Brāhmaṇas on the social plane. We may also infer that great damage was done to these claims by the lapses of the members of this order. Testimony to these shortcomings is found in the severe condemnation of degraded Brāhmaṇas by the authors of the *Dharmasūtras* (see Chapter IV). The wide extent of this degradation is revealed to us by the *Jātaka* stories which may be taken to reflect more fully the conditions of contemporary life. We have here, along with casual references to the true Brāhmaṇas, a vivid description of worldy Brāhmaṇas filling all kinds of unworthy occupations. In particular, we may refer to such stories as in No. 512 (p. 1) where a *purohita* appointed to decide cases is mentioned as deliberately giving wrong judgments, thus compelling the aggrieved party to appeal to just arbitrators. We also have stories of the *purohita's* selfish bid for maintaining his lucrative allowances intact and, at a higher level, for making his master the universal sovereign by a policy of wholesale cruelty and treachery.

3. INFLUENCE OF THE BUDDHIST MONASTIC ORDER

One of the most important social movements of this period is the rise of monastic orders with their distinct organizations. The rules of monastic discipline within the fold of the orthodox Brahmanical society are laid down in the *Dharmasūtras*. The most well-known and highly organized monastic order of the time was the order of the Buddhist *saṁgha* of monks and nuns. In the *Vinaya* section of the canon belonging to the different Buddhist schools, we have a complete code of monastic discipline along with elaborate rules for transaction of ecclesiastical acts by regularly constituted bodies. The same section contains historical traditions about the *saṁgha's* relations with the State during its first historical period. These traditions are of great value in illustrating the attitude of the *saṁgha* towards the State at that time. We may divide the traditions into several groups according to whether they involved the avoiding of conflict between the legal rights of the *saṁgha* and State, the voluntary action of the *saṁgha* in shaping its monastic rule for safeguarding the State's authority, the creation of new and the modification of old rules of monastic discipline by the *saṁgha* on the State's initiative, and lastly the deliberate modification of the rules by the *saṁgha* under threat of the king's tyranny.[15] From these stories we can draw the general conclusion that the *saṁgha* at this period played an altogether passive role in its relations with the State. On the other hand it should be noticed that the State as yet made no claim to punish schismatic monks and nuns or to summon ecclesiastical councils ; this it was destined to do under the imperial rule of Aśoka in the third century B.C.

4. INFLUENCE OF ASCETICS

Ascetic practices came into vogue and ascetic virtues began to receive a high place in the late Vedic period. During the following period ascetics appear to have become a powerful factor in the social life of the people. The ascetics are credited in *Jātaka* stories with the possession of supernatural faculties (*iddhis* or *pāṭihāriyas*) such as the divine eye and the powers of sitting in and moving through the air. The stories occasionally speak of sham ascetics ; but, on the whole, ascetics held an honoured place in society. Righteousness towards ascetics is included by the Buddhist canonists of this period among the duties of kings. This is supported by stories of divine retribution befalling the royal oppressors of ascetics.[16]

The ascetics appear from these stories to have acted as a great moral force in elevating the standards of the State administration. We have a story (No. 149, pp. 506–9) of a king justly called from his youthful days 'Prince Wicked' ('Duṭṭhakumāra'), whom an ascetic induced, by relating a series of parables, to rule righteously. In another story (No. 532, pp. 315ff) an ascetic, out of a grudge against his elder and more saintly brother, is said to have won sovereignty for a king over the whole of *Jambudīpa* by the exercise of his magical powers ; in the end the elder brother convinced the king and his vassals of his superior ethical and magical virtues so as to make them thenceforth rule righteously.[17] Regarding the influence of saints in this connexion, we may refer to a Pali canonical story (*SN* I 93ff) which relates how the Buddha advised King Pasenadi to become 'a friend and an intimate and an associate of that which is righteous and to that end to practise virtuous acts'.

5. INFLUENCE OF PUBLIC OPINION

It remains to trace, in the light of available data, the influence of public opinion upon the king's administration during this period. It is remarkable that the *Arthaśāstra* masters, with all their emphasis upon a centralized State administration, recognized the popular element as a factor to be reckoned with in the interest of the king's own security. We have seen how Kauṭilya provides for the extensive and intensive invigilation of the king's subjects and those of his enemy with a view to guarding the kingdom against the enemy's wiles and seducing the latter over to his own side (see Chapter IV s.v. *Internal security and consolidation of the State*). More important is Kauṭilya's analysis of the king's faults which tend to make his subjects poor, greedy and disaffected ; this analysis is given in the context of his discussion of the degree of vulnerability of hostile kings (VII 5). It is followed by a warning to the king to avoid the causes producing this condition among his subjects and an admonition to him to counteract the same immediately on their appearance.

The *Jātaka* stories bearing on this point have a greater value than Kauṭilya's data for the purpose of illustrating the degree to which the public were held to be capable of influencing the State administration according to the ideas of the time.

We have stories of mass demonstrations by the people in front of the king's palace under the threat of a dire natural calamity, or of an impending crisis in the fortunes of the State due to the want of an heir to the throne, or of loss of a much esteemed minister, and so forth. In these stories we are told how the act of the people usually had the result of making the king accept their advice. There are other stories of popular resistance against the king, the degree of this resistance varying from passive acquiescence in the king's tyrannical act to collective enforcement of the popular demand for redress of specific grievance, and, ultimately, to a mob-uprising leading to the death or expulsion of the tyrant.[18] It may be concluded from the above that the people, when roused by the imminence of their danger or driven to fury by the king's oppression, could and did make their influence felt on affairs of State. This, however, appears to have been the exception and not the rule, no doubt because 'the people' had no legally constituted organ sharing in the normal work of State administration.

6. ATTITUDE OF INDIVIDUALS AND CLASSES TOWARDS THEIR RULER

We may turn to another important aspect of monarchical administration on which the *Jātakas* throw valuable light. This relates to the attitude of the various classes of the subjects towards their ruler. Firstly, as regards the subjects in general, their attitude in normal times is shown to be one of deep loyalty and devotion to the ruling house. We have touching stories of subjects following their ruler *en masse* into his hermitage when he renounces the world.[19] Secondly, as regards the officials, the stories contain not a single instance of a *purohita* or a *senāpati* committing an act of treason. On the contrary, we are told how a *purohita* refuses a boon for himself in his master's favour, how a *senāpati* repeatedly offers to sacrifice his own domestic happiness for his master's sake, how another *senāpati* attempts by repeated warnings and appeals to cure a king of his unnatural habits and thus save him from deposition and death. We have, it is true, occasional instances of *amachchas* attempting acts of treason against their master, but there is not a single instance of their usurpation of the throne by force or violence. On the contrary, we have touching stories of the *amachchas'* loyalty to the ruling house in a crisis. We are thus told how when the throne falls vacant, the *amachchas* make the utmost effort to find out the legitimate heir of the late king, or at least to obey the last instructions of their master in the matter of his succession. In one story an *amachcha* is elected king by his fellow *amachchas* only when the heir to the throne is found to be absolutely unfit.[20]

Thirdly, as regards the princes, we have instances of deep family affection felt by a prince towards the reigning king who is his father or his elder brother. The family tie is revealed as being so strong in some stories as to lead the prince to decline the offer of the vacant throne and follow the king to retirement. The prince in one story declares his readiness to sacrifice his own life to save that of his father. In another story a king offers to abdicate his throne in favour of his long-lost but happily restored elder brother. Conversely, a king in other stories shows his deep affection for his sons by installing one or other of them on the throne before retirement, or else takes adequate precautions for the safety of the princes against their step-mother's intrigues.[21] On the other hand we have instances of attempted assassination of the reigning king by his son and of a civil war between a king and his brother, ending in the death of the former. From still other stories we learn how kings habitually banished their sons from the kingdom during their lifetime for their own safety.[22]

7. SOME GENERAL ASPECTS OF MONARCHICAL ADMINISTRATION

The authors of the *Dharmasūtras*, Kauṭilya in his *Arthaśāstra* and the Buddhist canonists agree in inculcating the adoption of a high standard of administration by the kings.[23] The *Jātakas* present us with complex and even with contradictory pictures of kingly rule. Not to speak of exceptionally good or model kings, we have stories of kings who ruled righteously. Mention is made of saintly kings who sought to enforce a good life among their subjects after the Buddhist ethical standards. Elsewhere we hear of kings who are moved by sentiments of gratitude towards their benefactor, of fidelity to their plighted word and of tender family affection. We are also told about kings who renounced the world on realizing the inevitability of old age and death and of the transitoriness of earthly greatness.[24] By contrast we are introduced to kings who are led to commit gross acts of tyranny at the instigation of designing persons of their entourage. Such stories acquire greater emphasis through epigrams descriptive of the evil nature of kings, which are often put into the mouths of those following notoriously cruel professions. In one story (No. 479) persons in authority (*issaras* and *adhipatis*) are aptly compared by an ascetic, while instructing his son, to snakes. Finally we have stories of exceptionally evil kings who incurred divine vengeance, thus illustrating the author's view of the inevitable triumph of good over evil in the order of the world.[25]

We have a vivid description (drawn, no doubt, from reminiscences of historical events of the cumulative evils of rule by bad kings) in a long *Jātaka* story (No. 77, pp. 335–45). In this story the sixteen dreams of a king of Vārāṇasī and of the Kośala king Pasenadi are given identical interpretations by the mythical Bodhisatta and the historical Buddha respectively. The interpretations are expressed as prophecies of coming events, no doubt to fit in with the scope of a work professing to narrate the incidents of the Buddha's career in past and present births. We may classify the evils prophesied by the sages above mentioned under the following heads:

(*a*) Decline and collapse of the judicial administration because of the appointment of corrupt and incompetent judges in place of honest and competent ones.

(*b*) Degradation of high-born and elevation of low-born persons.

(*c*) Oppressive taxation and exaction of forced labour, leading to mass migration.

(*d*) Suspension of the vital periodical rainfall and consequent failure of agricultural crops under the operation of the principle of righteousness.[26]

The above summary is sufficient to indicate what were held to be the far-reaching consequences of the king's misrule at some unknown date in the shape of producing breakdown of the State administration as well as social and economic chaos.

CHAPTER IX

NOTES

[1] The view (Agrawala, *India*, p. 91) that *janapada* in Pāṇini, in contrast with *jana*, marks 'the evolution from a racial to a territorial basis of citizenship' and that *sajanapada* indicates 'the territorial conception of citizenship replacing that of the tribe' is far-fetched and improbable, and involves a certain amount of anachronism.

[2] See the lists compiled by Agrawala, *India*, pp. 48ff, 469ff, 500ff, and App. III, pp. 498–500 (list of 30 names of *janapadas* mentioned by Pāṇini and that of 35 names of *janapadas* as well as 43 names of *vishayas* in the corresponding text of the *Gaṇapāṭha*). See also ibid. pp. 69ff, 469f and 500f (list of 27 names of *grāmas* in Pāṇini and 504 names of *grāmas* and *nagaras* in *Gaṇapāṭha*). With the above cf. the accounts of Alexander's Companions in (a) Strabo's *Geography* (37 cities of which the smallest had 5,000 inhabitants and many had upwards of 10,000 inhabitants comprised in the territory of 'the Glaukinikai' in the upper courses of the Jhelum, the Chenab and the Ravi); (b) ibid. (500 cities in the territories of 'the nine nations lying between the Jhelum and the Bias'); (c) Pliny's *Natural History* (5,000 towns none less than a *cos* in the Indian tract subdued by Alexander). At the beginning of the Maurya period Megasthenes found the number of cities so great that it could not be stated with precision. It may

be added that archaeological excavations on the sites of Takshaśīlā and Kauśāmbī, to mention only two instances, have corroborated literary evidence about the size of the cities.

[3] The full text is summarized below. The king shall appoint chiefs (*adhipas* or *adhyakshas*) for 1, 10, and 100 villages as well as for the whole rural area (*deśa*). The village chief is to suppress troubles within the village : failing to do so he is to report to the chief of 10 villages, who is required in similar circumstances to report to the chief of 100 villages and this last officer in a similar case is to report to the chief of the rural area : the last-named chief is to do his utmost to suppress the trouble.

[4] The ref. is to the explanation of the title *chaturarthikagaṇa* in *Gaṇapāṭha* by Agrawala, op. cit., pp. 35, 63f.

[5] An account of village administration in the Vedic Age is sought to be given by the writer with refs. in *HPL* p. 107.

[6] *Jāt.* refs. : (a) No. 368, pp. 204–6 (some boys falsely arrested by villagers on a charge of causing the death of a village physician are bound in fetters and brought before the king, who finds out the truth on investigation and rewards the boys) ; (b) No. 371, p. 153 (a ferry-man, bound and brought before the king by villagers for causing his pregnant wife's miscarriage is tried and punished by the king). (For other refs. see Chap. VII s.v. *Police.*)

[7] *Summary of the above story* (No. 31, pp. 199–200) : A hamlet in Magadha was inhabited by 30 families : at first the heads of those families used to stand in the midst of the village for transaction of village affairs : through the efforts of a young noble (really a *Bodhisatta*) born in the hamlet, a complete standing place, a pavilion and a hall with adequate sitting and sanitary arrangements, were provided one after another for use during meetings : the young noble likewise established the villagers in the Five Commandments (binding on the Buddhist laity), and thereafter used to go about with them doing good works : 'they used to get up early and sally forth with razors, axes and clubs in their hands : with the clubs they used to roll out of the way all stones that lay on the four highways and other roads of the village : the trees that would strike against the axles of chariots they cut down : rough places they made smooth : causeways they built : they dug tanks and built a hall : they showed charity and kept the ten commandments binding on the Buddhist monastic order' : when the *Bodhisatta* had thus effected a thorough reform in the moral and material condition of the villagers, the village magnate (*grāmabhojaka*) thought of his consequent loss of income and vowed vengeance : getting the king's order, he arrested the thirty persons along with the *Bodhisatta* on a trumped-up charge of robbery, and he brought them before the king who sentenced them to instant execution : in the end, however, the king found out the truth and not only released them, but rewarded them at the expense of their slanderer. (In the above extract the portions within quotation marks are taken from the work *The Jātakas* — tr. by various hands.)

[8] In the light of the above discussion it is not possible to endorse the following judgement of a well known Indian scholar of our time (Kane, *H of D*, Vol. III, pp. 157–8) on the administration of villages during the pre-Maurya period : 'The village administration was self-contained and functioned whatever government happened to be at the centre. The central government did not very much interfere with the local administration. . . . The village communities were miniature States. There was a great deal of decentralization or devolution of authority from the central government to the village communities and authorities.' ·

[9] For a full list of towns and cities (with descriptions where available) in early Buddhist literature see A. N. Bose, *Social and Rural Organization*, pp. 162f. For the list of towns in Pāṇini and *Gaṇapāṭha* see note 2, above. For refs. to the number of towns in the Indus valley, see the last-named note.

[10] For *Jātaka* refs. to gateways of cities, see Chap. IV, s.v. *Dānasālās at four gates of city*. Also cf. *Jāt.* No. 213, p. 171 ; No. 421, p. 448 (*dānasālās* at north and south gate

of city). In No. 489, p. 323 a *vatthuvijjāchariya* is asked by a king to build a palace for his son with the help of masons.

[11] *Summary of Āpastamba* II 10.25.2–6 : King to build a palace and a town with gates looking towards the south ; palace to be built in the heart of the town ; the State guest-house (*āvasatha* or *āmantraṇa*) and the State gambling-house (*sabhā*) to be built with doors on south and north sides. *Summary of Vishṇu* III 4 : King to select for the site of his capital a soil which is rich in fields and pastures and has a large population of cultivators, traders and artisans : the king's stronghold should be surrounded by desert or by water or by trees and mountains, and protected by armed men.

[12] A variant of the title *nāgarika* is *nāgaraka* (for refs. see Kane, *H of D*, Vol. III, pp. 149, 989). The term is rightly translated as 'mayor of the capital' and alternatively as 'chief of police in the capital' and as 'chief officer of the city' by Kane, ibid. pp. 149, 989.

[13] *Summary of Āpastamba* II 10.24.4–8 : King to appoint qualified men of first three castes to protect villages and towns, and their servants should possess the same qualities: they must protect a town from thieves in every direction to the distance of one *yojana* and a village to the distance of one *krośa*. As explained by Bühler in the accompanying footnote, one *yojana* is equal to four *krośas* and one *krośa* is variously reckoned at $1\frac{1}{2}$ to 4 miles (*SBE* Vol. II, p. 163).

[14] The quotation is from Ratilal Mehta, *Pre-Buddhist India*, p. 172. *Summaries of stories* : (a) *Jāt.* No. 309, p. 30 (the office of lord of the city and the custom of his wearing a wreath of red flowers around his neck ; (b) No. 318, pp. 59–60 (a robber arrested at night by the governor of a city and led to execution by the king's orders : but afterwards on receipt of a heavy bribe the governor substitutes an innocent man for the victim) ; (c) No. 201, p. 140 (householder deserting his wife and children at night-time is arrested by *nagaraguttika*) ; (d) No. 419, p. 436 (a *nagaraguttika*, being ordered by the king, posts guards to catch a notorious robber : he arrests the robber and prepares to take him away for execution, but on being bribed by a courtesan substitutes an innocent man for the robber who gains his freedom).

[15] *Stories of avoidance of conflict* : (a) Gilgit MSS, Vol. III, pp. 117–9 (Upānanda, an enormously rich but very miserly monk of Śrāvastī, having died leaving a large fortune, the *amātyas* of King Prasenajit seal his residence by the royal orders : the Buddha, on being informed of this, persuades the king to withhold his hand from the property of the deceased, and the property is then distributed among his fellow-monks) : (b) ibid. pp. 139–43 (a *śreshṭhī* or chief merchant of Śrāvastī having no son decides to assume the robes of a monk but dying before his formal ordination, leaves his property by will to the local *saṁgha* : King Prasenajit being informed of this incident declares that he would content himself with whatever the Buddha would vouchsafe to him since heretofore he had not appropriated the property left by the monk Upānanda without a will : the Buddha directs a suitable division of the testator's assets between king and the *saṁgha*). *Traditions of voluntary application of monastic rule for safeguarding authority of State* : *Vin.* Vol. I, pp. 74–6 (King Bimbisāra grants an immunity from harm to all who are ordained in Buddhist *saṁgha* : when runaway criminals, debtors and slaves enter the order to escape the hand of justice, the Buddha forbids such men to be ordained on pain of a heavy disciplinary punishment for defaulters. *Traditions of adoption of new and modification of old rules* : (a) *Vin.* Vol. I, pp. 101–2 (Bimbisāra points out to the Buddha the practice of monks of heretical schools assembling for religious discourses on the 8th, 14th and 15th days of each month, and the Buddha forthwith prescribes the same procedure for the *saṁgha*) ; (b) *Vin.* Vol. I, p. 138 (when Bimbisāra sends messenger to the Buddha requesting that monks should enter into residence during the rains on the next full-moon day, the Buddha immediately complies with his wish : he makes the characteristic utterance on this occasion 'I prescribe, O Bhikkhus, that you obey kings' ; (c) *Vin.* Vol. I, pp. 153–4 (when a monk fails to keep his word with king Pasenadi, the Buddha lays down a series of regulations for residence of monks during the rains).

Traditions of modification of monastic rule : (a) *Vin.* Vol. I, pp. 112–13 (danger from kings and from thieves mentioned among causes justifying recitation of Buddhist confessional formula in abridged form) ; (b) *Vin.* Vol. I, p. 161 (danger from kings heading a list of causes justifying the *saṁgha* in a district to hold the *pavāraṇā* ceremony with a two-fold formula in place of the usual three-fold formula).

[16] On the king's obligation of righteousness towards ascetics, see list of ten royal duties (*dasarājadhammas*) in *Jāt.* No. 501, etc. For instances of divine retribution on royal oppressors of ascetics cf. No. 313, pp. 39–43, No. 522, pp. 143–4 and No. 530, p. 267.

[17] *Other stories of ascetics inducing kings to rule righteously* : (a) No. 22, p. 177 (sage rebukes a king for adopting the four evil courses of partiality, dislike, ignorance and fear, and reminds him of the king's duty of being as unbiased in trying cases as the beam of a balancer) ; (b) No. 376, p. 229 ; (c) No. 396, pp. 317–21, (a king's adviser in things spiritual and temporal persuades an unrighteous king by a parable to rule justly according to *dhamma*) ; (d) No. 407, p. 373 (a monkey-king admonishes a king to seek the happiness of his kingdom by pointing to his own example) ; (e) No. 530, pp. 267f (ascetic's advice to a parricide king) ; (f) No. 540, p. 94 (saintly ascetic born in a hunter's family admonishes the king about the ten royal duties (*dhamma*) comprising the duties towards parents, wife and children, towards friends and *amachchas*, towards soldiers and remounts, towards townships and villages, towards ascetics and Brāhmaṇas, towards birds and beasts); (g) No. 544, pp. 247ff (a king is taught his duties by a true ascetic by the description of hells awaiting the unrighteous persons after death and by the example of good kings.

[18] *Stories of mass demonstrations of aggrieved subjects and their consequences* : (a) *Jāt.* No. 526, pp. 193ff (the people of Kāśī kingdom, afflicted with famine, assemble at the royal courtyard and reproaching the king ask him to cause rainfall : the king takes upon himself the moral vow and observes a fast) ; (b) *Jāt.* No. 276, pp. 368–71 (the people of Kaliṅga, being afflicted with the three-fold fear of drought, failure of crops and famine, gather together in the royal courtyard and upbraid the king : addressing them as his children, the king decides to keep the holy vow for seven days : again consulting the towns-folk when this fails to produce rain, the king sends messengers to Vessantara, son of the Sivi king, for gift of a much prized elephant); (c) *Jāt.* No. 489, pp. 317–18 (towns-folk in the kingdom of Mithilā gather together in the king's courtyard and reproaching him for his childlessness ask him to choose other wives besides his only and dearly beloved queen : the king at first pacifies them by reminding them of his vow of taking a single wife : when afterwards the king at the queen's desire takes other wives and still has no child, the towns-folk again gather together and, reproaching the king, ask him to command his women to pray for a son : this is willingly done by the king with ultimate success) ; (d) *Jāt.* No. 538 (townsmen assembling to complain that the king has no son to perpetuate his line ask him to pray for a son, and the king acts accordingly); (e) *Jāt.* No. 531, pp. 279ff (a king having no son or daughter, the towns-folk as well as the country-folk assemble at the door of the royal palace and complain that as he has no son to perpetuate his line, another would seize the kingdom and destroy it. The king submits to the popular demand so far as to send out his dancing girls and at length his own virtuous chief queen into the streets for ceremonial prostitution. The chief queen is at last rewarded with the boon of a child by the god Sakka). *Stories of people forcing their will upon the king* : (a) *Jāt.* No. 543, pp. 303–9 (an exceptionally wise *amachcha* or minister who is no other than the *Bodhisatta* is carried off as prize at a dice-play with the king by a *yakkha* : the people gathering at the king's gateway threaten to burn themselves by collecting timber in hundreds and thousands of carts : the king assures them that the sage will certainly come back and 'will bring smile into their tearful faces'); (b) No. 547, pp. 490ff (when the Sivi prince, Vessantara, out of excessive generosity gives away a much prized State elephant to the messengers of the king of Kaliṅga, 'the Uggas, the Rājaputtas, Vesiyas and Brāhmaṇas, the troops

of all arms' unitedly urge upon the king the banishment of his son, and the king with extreme reluctance yields to the popular demand, justifying his act by the statement that it is the will of the people ; (b) No. 537, pp. 461–70 (the people, being summoned by the *senāpati* to judge the case of their man-eating king, force the *senāpati* to drive the king out of the capital city ; (d) No. 73, pp. 325–6 (see above, Chap. IV, n13).

[19] *Stories of subjects' attitude towards their ruler* : (a) *Jāt.* No. 509, pp. 470–90 (when a *purohita's* four sons successively renounce the throne for which they are destined by the king, and enter upon the ascetic life, and when their example is followed by the *purohita* and his wife as well as by the king and his *amachchas*, the people gathering before the palace implore the queen to take the king's place and protect the realm. When the queen in her turn embraces the religious life, all the people leave the city and join the hermitage) ; (b) No. 525, pp. 178–91 (a pious king renouncing his throne and becoming an ascetic is followed by the whole train of his parents, queens and sons, his ministers and subjects, when going forth in the dress of a monk : the people continue their journey up to the Himalayas); (c) No. 539, pp. 53ff (when a good and just king resolves to renounce the world in disregard of the passionate appeals of his devoted queens, the people follow him on his ascetic's journey to the Himalayas with exemplary devotion).

[20] *Stories of loyalty of officials to their ruler and devotion to the ruling house* : (a) *Jāt.* No. 509, p. 475 (a tree-spirit offers a *purohita* who is childless the boon of four sons: refusing the boon for himself the *purohita* desires it for his king who is also childless) ; (b) No. 507, pp. 217–23 (a *senāpati* finding his king to be completely infatuated with love for his own wife repeatedly offers her to him to save his life, declaring the king to be his parent, his lord and even his god : repeatedly rejecting the offer the virtuous king ends by declaring it to be his duty to rule righteously) ; (c) No. 533, p. 339 and No. 534, pp. 359ff (two very similar animal fables of a goose *senāpati* who on finding his king ensnared by a fowler offers himself as a substitute for his master); (d) No. 537, pp. 461–70 (when a king addicted to eating human flesh is betrayed by his cook to the *senāpati*, the latter with a great crowd following him enters the royal palace : on hearing the king's confession of his guilt, the *senāpati* warns him that he would be banished if he did not give up his habit : when the people, growing impatient, demand his expulsion, the *senāpati* after a last but fruitless appeal to the king makes the king quit his kingdom) ; (e) No. 543, pp. 158ff (a prince obeying the orders of his suspicious father goes abroad to live as an ascetic in a hermitage : after the king's death the *amachchas*, not knowing whether the prince is alive or dead, at first think of sending out the festal car, but afterwards learning the prince's whereabouts go to his forest hermitage and besprinkle him for the kingship) ; (f) No. 539, pp. 37–8 (a king instructs his *amachchas* to confer the throne after his death upon one who can please his only daughter or can perform several hard tasks that he mentions by name : it is only when all their attempts fail, that they at last agree at the *purohita's* instance to send out the festal car) ; (g) No. 479, pp. 230ff (a prince going into exile at the command of the reigning king who is his brother tells an *amachcha* to raise his own son to the throne to be recognized by a token : after the king's death the prince returning to the capital and showing the token is raised by them to the throne) ; (h) No. 247, p. 264 (a lazy and worthless son of the late king is given his chance of proving his fitness for the throne, and it is only when it is found wanting that the *Bodhisatta* is raised to the throne by his fellow *amachchas*). *Stories of amachchas' treason* : No. 51, p. 262 ; No. 282, p. 401 ; No. 303, p. 13 ; No. 351, p. 153 ; No. 355, p. 168 (an *amachcha*, being banished by the king for misconduct in the royal harem, takes refuge with a foreign king and instigates him to attack his former master).

[21] *Stories of prince's declining offer of throne* : (a) *Jāt.* No. 529, p. 259 (a prince, being asked by his father to reign in his place, pleads that he cannot live without his father and therefore asks to be allowed to share in his father's ascetic life) ; (b) No. 525, p. 185 (when a king wishing to renounce the world asks his younger brother to reign in his

stead, the latter replies that he would like to follow his brother's example 'for life were nought without thee'). *Stories of a prince's readiness to sacrifice his life for his father's sake and to resign the throne in favour of his brother* : *Jāt.* No. 513, pp. 21ff (when a king asks his son to reign in his stead before going forth to offer himself for a *yakkha's* meal in accordance with his plighted word the prince volunteers to yield himself to the *yakkha* as his father's substitute : overcoming the *yakkha* by the sheer force of his courage and virtue, the prince on his return to the capital reveals to his father that the *yakkha* is no other than his long-lost uncle : the king then goes out and invites the *yakkha* as his elder brother to reign over the kingdom, but the *yakkha* declines the offer). *Stories of king's affection for his sons* : No. 6, pp. 127–8 ; No. 9, p. 138 ; No. 461, pp. 124–5 (when a new queen-consort asks the king to bequeath the throne to her own son in place of the king's son by his deceased queen, the king advises the older princes in their own interest to retire to the forest or to some neighbouring kingdom, and to return to their hereditary kingdom after his death lest the women should use a forged letter or a bribe to get them murdered).

[22] *Stories of king's dislike for his son leading the king to command the son to fight an enemy on the frontier, or else to banish the son from the kingdom* : (a) *Jāt.* No. 263, p. 329 ; (b) No. 416, pp. 415–16. *Stories of princes' banishment by kings and return after their father's death to rule the kingdom* : (a) *Jāt.* 193, p. 116 ; No. 320, pp. 67 ; No. 223, p. 203 ; No. 234, p. 229 (a prince suspected of treason is asked by the king to quit the kingdom, and the prince returns after his father's death to rule over it) ; (b) No. 338, pp. 122–5 ; No. 373, pp. 215–18 (a prince after frustration of successive plots to murder his father is forced into abject confession of his guilt, and the king throws him, bound in chains, into prison from which he is freed by the *amachchas* after the king's death and placed on the throne). Ref. made in the first story to the former practice of kings who kept their suspected sons in a secret place with orders to bring them forth and place them on the throne after their own death. *Story of civil war between brothers for the throne* : (a) *Jāt.* No. 467, p. 169 (on a king's death his eldest son resigning the throne in favour of the younger one afterwards marches against the latter, and compels him to abdicate the throne in his favour) ; (b) No. 539, pp. 30–1 (when a king, suspecting his younger brother, throws him into prison, the latter, escaping from confinement gradually obtains a large following : marching on the capital he gives the king the usual choice of fight or surrender : the king being killed in battle, the younger brother ascends the throne). In No. 530, p. 263 a prince usurps the throne after murdering his father.

[23] On the standards of the king's government see *IPI* pp. 56, 69–73, 92. For further refs. see *Jātaka Index* s.v. *Virtues, ten royal.*

[24] *Stories of exceptionally good kings* : Nos. 276, 282, 496, 499, 539, 541. Cf. No. 496 (story of a king who ruled so righteously that the courts of justice were left empty). For stories of king's exhorting subjects to good life cf. No. 483, p. 269. *Stories of a king's gratitude etc.* : (a) No. 252, pp. 280–2 (a king threatens his former teacher with death for having imposed corporal punishment for a small theft while a student : later, being convinced of the usefulness of the teacher's action, he offers him the kingdom) ; (b) No. 259, p. 316 (a king munificently rewards an ascetic who had saved his life and rebukes those disapproving of his action) ; (c) No. 302, pp. 9–12 (a king discovers his unknown benefactor by the expedient of successively raising the tax payable by the latter's village and forcing him to appear before himself : the king rewards his benefactor by gift of one-half of his kingdom) ; (d) No. 513, pp. 25–36 (a virtuous king begs respite for one day from a man-eating *yakkha* for fulfilling his promise of gift to a Brāhmaṇa : on his announcing on the next day his resolve to depart for offering himself for the *yakkha's* meal, the young prince nobly goes forth to the *yakkha* as his father's substitute : when he converts the *yakkha* and discovers him to be no other than the king's long-lost elder brother, the king offers, though in vain, to resign the throne in favour of his brother). *Stories of kings redressing acts of injustice* : (a) *Jāt.* No. 332, pp. 105–6 (some innocent carters are condemned unheard by the king to confiscation of their property on

the complaint of a wicked *purohita*, but later the king decides their case justly) ; (b) No. 443, pp. 23–7 (a king takes away the virtuous and beautiful wife of an ascetic on the strength of his *issariya* or sovereign authority : but afterwards he is so impressed by the woman's superiority to all worldly honour and the ascetic's absolute freedom from anger as to restore her to her husband); (c) No. 472, pp. 191–6 (a king summarily condemns his virtuous son to execution on a false charge of personal violence by the prince's wicked step-mother, but after the prince's miraculous escape and retirement to a hermitage, the king humbly visits him and attempts, though in vain, to take him back home) ; (d) No. 520, pp. 102–8 (a wicked king, making a tour of inspection through his kingdom on the advice of a deity, discovers that all creatures curse him : on his return to the capital he begins to rule righteously) ; (e) No. 527, pp. 215–27 (when a king is infatuated with love for the beautiful wife of the *senāpati*, the latter repeatedly offers her to the king in a spirit of absolute devotion, but the king after repeatedly rejecting this offer finally declares his wish not to win heaven or even the whole world by an unjust act) ; (f) No. 528, pp. 225–46 (five corrupt judges being deprived of the opportunities for taking bribes by an ascetic accuse the latter of aiming at the throne, and the king sanctions a plot for the ascetic's assassination : the ascetic after escaping for his life returns after some time and publicly exposes the wickedness of 'the big thieves', whereafter the king restores the ascetic to favour and punishes the culprits). *Stories of kings belying their alleged evil nature* : (a) No. 501, pp. 421–3 (a hunter's remark that kings are cruel is belied by the king's generous treatment of a captured deer, on hearing the story of the deer's release by the compassionate hunter) ; (b) No. 502, p. 427 (a hunter's remark that kings are hard is belied by the king's treatment of a goose-king when brought before his presence) ; (c) No. 533, pp. 345ff ; No. 534, pp. 365ff (a hunter's remark that kings are fickle-minded and dangerous is contradicted by another remark that kings are good and wise and understand godly words : when the animal-king is brought before his presence, the king gives a respectful hearing to his message and confers honours on him). *Stories of kings renouncing the world* : (a) *Jāt.* No. 406, pp. 365–7 (a king on seeing an eclipse of the moon renounces the world and makes over his kingdom to his ministers : his example is followed by a brother king) ; (b) No. 408, pp. 377–9 (four kings become ascetics) ; (c) No. 411, pp. 393–4 (a king becomes an ascetic on being shown a grey hair on his head) ; (d) No. 509, p. 486 ; (e) No. 510, p. 499 ; (f) No. 538, p. 28 ; (g) No. 539, pp. 55–67 ; (h) No. 541, p. 96 (story of a long series of kings renouncing the world in lineal succession till the line comes to an end).

[25] *Stories of tyrannical acts of kings* : (a) *Jāt.* No. 220, pp. 188–96 (a king being instigated by an evil *senāpati* imposes on the upright *purohita* a succession of supremely difficult tasks with a view to putting him to death. After the *senāpati* had been justly killed by the indignant people, the king begins to rule righteously) ; (b) No. 433, pp. 516–18 (a king seeking to make himself ruler of all *Jambudipa* tempts an ascetic to prepare a sacrifice of four-footed creatures at the same pit : in the end the ascetic, being struck with remorse by the disapproval of the multitude, advises the king to destroy the sacrificial pit and returns to his own abode) ; (c) No. 465 ; pp. 150–1 (quasi-historical story of Bandhula, the gallant and loyal *senāpati* of a king of Kośala, who is accused by the false judges of aiming at the throne, whereupon the king orders Bandhula and his son to capture brigands on the frontier and has them murdered by his agents). *Stories of tyrants* : (a) No. 73, pp. 325–6 : Story of a prince who was fierce and cruel like a scotched snake and was like grit in the eye to all folk so as to earn the title *suṭṭhakumāra* or Prince Wicked (after being saved from a watery grave by a Brāhmaṇa ascetic, the prince conceives a bitter hatred against his benefactor : when the ascetic calls on him after his accession to the throne, the tyrant thinking that otherwise the ascetic would proclaim the service rendered by him, orders him to be bound and flogged at every street corner on the way to the place of execution : when the hermit tells his story to the assembled people, 'the Khattiyas, the Brāhmaṇas and all classes' rush upon the tyrant and kill him) ; (b) No. 194, pp. 122–4 (a king plotting to seize the virtuous

and beautiful wife of a young Brāhmaṇa contrives to put a stolen article in the latter's possession, and he summarily sentences the Brāhmaṇa to execution when brought before his presence: in the end the Brāhmaṇa is miraculously saved by Sakka, who consecrates him as king with the people's joyful acceptance); (c) No. 240, p. 240 (story of a tyrant who crushes his subjects like sugar-cane in a mill, with taxes and fines, mutilations and executions: his death is attended with general rejoicing by his subjects); (d) No. 313, pp. 40–2 (a wicked king under the influence of drink wantonly inflicts a series of fiendish tortures on an innocent ascetic and he suffers torments of hell in consequence); (e) No. 358, pp. 178–82 (a fiendish king causes the execution of his own infant son with successive mutilations of the body in the mother's presence, till she falls down dead from grief: he is punished by being engulfed in hell); (f) No. 522, pp. 134ff (story of four wicked kings who suffered tortures in hell for oppressing ascetics).

[26] We quote below a few extracts to give some idea of the racy style of the original in an English version.

Prophecies of decline of judicial and general administration in passages interpreting the fourth, fifth, sixth and twelfth dreams: (a) In days to come unrighteous and niggardly kings will not honour high officials, wise, skilled in precedent and capable of performing work, nor will they appoint ministers wise, skilled in judicial work and aged at the court of justice: on the other hand those having the opposite qualities and very young in years will be respected and placed at the court of justice: when unable to cope with their work the newcomers will throw off their jobs, and the older ones remembering their disgrace will stand aloof so that the king will suffer loss on every side. (b) In days to come unrighteous and foolish kings will appoint unjust and covetous men as judges and these base and foolish ones in giving judgments from their seat of justice will accept bribes from both complainant and defendant. (c) In the time of unrighteous kings, the base-born will be raised to authority and made royal favourites at the expense of the high-born: gaining influence at the courts of law, the former will intimidate the latter into surrender of their possessions.

Prophecies of oppressive taxation in interpretations of eighth and ninth dreams: (a) In future days of decay of the world and weakness of the kingdom and poverty of kings, the needy kings will compel all the country-folk to raise crops and work mills for their own store-house to the complete neglect of the barns of the people themselves. (b) The unrighteous, wilful and covetous kings of the future will be greedy of riches and will extort the tax (*bali*) in various ways by oppressing the people like sugar-cane in a mill: burdened with taxes the people will fly from village and town to the frontier.

Prophecies of failure of crops in interpretations of first and tenth dreams: (a) When kings and people become unrighteous, when the world will be perverted, when virtue will wane and vice will wax, the rains will not fall, the crops will wither and famine will visit the land. (b) When kings in future times will become unrighteous, all the *rājayuttas*, Brāhmaṇas, *gahapatis*, townsmen and country-folk will likewise become unrighteous: the rains therefore will not fall at all, or else their fall will be unevenly distributed over the different parts of the kingdom.

Prophecies of degradation of the high-born in interpretations of the sixth, tenth, twelfth, thirteenth, fifteenth and sixteenth dreams: (a) Unrighteous kings of future times, though themselves sprung from a line of kings, will exalt the base-born at the expense of scions of the old nobility so that the latter will be brought low and the former raised to authority: for their own livelihood the latter will offer their daughters in marriage to the former. (b) In the time of future unrighteous kings, when the world will be perverted, honour will be shown to the base-born at the expense of the high-born: the latter will become poor, while the former will have authority and their voice will prevail in the king's presence among the ministers at the court-house. (c) In the evil times to come the voice of the high-born shall drift idly by and shall be laughed at by upstarts when they will speak in the presence of the king, the ministers and the judges. (d) Weak, ignorant and cowardly kings of the future, fearing to be deposed shall raise to power not their peers but their footmen, bath-attendants, barbers and so forth : thus shut out from royal favour and unable to support themselves, the nobles shall be forced to dance attendance upon the upstarts.

CHAPTER X

REPUBLICS AND MIXED CONSTITUTIONS

WE have attempted in the previous chapters to give as adequate an account as possible of the predominant type of polity in the pre-Maurya Age, namely the monarchic State. It will now be our endeavour to deal with the salient features of another type of State that arose and fell during the same period, namely, the republics and the quasi-republics. We may distinguish two successive periods in the history of the republics, namely, the period of struggle for ascendancy among the larger monarchic States of the Gaṅgā valley and the Malwa table-land, and the period of decline and fall of Achaemenid dominion in the Indus valley (see above, Chapter I s.v. *Periods of history*). It will be convenient to confine ourselves here to the non-monarchical constitutions of the Indian interior, the account of those of the north-west being reserved for a later chapter.

The explanation of the rise of the republics and quasi-republics of the Gaṅgā basin is probably to be found in the decay of the monarchic principle within certain areas. Since the kings belonged as a rule to clans of the Kshatriya stock, their decline and disappearance gave the same (or other) Kshatriya clans the opportunity to gain the supreme power and establish what were in essence aristocracies of birth. The memory of this constitutional revolution was handed down to the later Indian tradition which was recorded by the Greek historian Diodorus of Sicily probably through the intermediary of Megasthenes. Another probable factor leading to the rise of the non-monarchical constitutions is hinted at in the traditional story of the origin of the Śākyas. From this we can infer that scions of monarchical families sometimes migrated to neighbouring areas and became the founders of non-monarchical States.[1]

The most authentic account of the republican constitutions of this period has been preserved in a few scattered extracts of the early Buddhist (Pali and Sanskrit) canonical literature. Less reliable is the testimony of passages in the *Jātakas* as well as in the late commentaries on the Pali canon. Before entering upon a description of this subject we may say a few words about the nomenclature of the republics in our sources. These authorities know a term *saṁgha* or *gaṇa* of Vedic origin, which in its wider sense is applied to a mass of inert matter as well as a multitude of human and divine (or semi-divine) beings and which in its human application is sub-divided into many species, such as the religious, the economic, the military, and the political. It is with this last species of *saṁgha* or *gaṇa*, meaning a republican constitution, that we are concerned now. In the historical traditions of the early Buddhist canonical and non-canonical literature as well as in the late grammatical tradition of Pāṇini's school the terms *saṁgha* and *gaṇa* are often used without any qualification as the distinctive designations of republics. Of these *saṁghas* the most typical examples are given in the texts as the Lichchhavis and the Mallas having their capitals at the cities of Vaiśālī and Kuśīnagara respectively.[2]

STRUCTURE AND WORKING OF REPUBLICAN CONSTITUTIONS

It is possible, in the light of the scattered references in the early Buddhist literature, to give a general outline of the constitutions of the republican States of this period. From the data in the Pali canon and the *Jātakas* we can draw the following conclusions about the structure of the republican constitutions of this period. Firstly, they were ruled by clans claiming to belong to the Kshatriya caste, thus providing an example of aristocracies of birth. The sovereign authority belonged to the Popular Assembly consisting evidently of fully qualified members of this aristocracy. These members bore the title of *rājans* (kings) evidently in the widest sense of the term, as meaning the ruling authority, and their cadets were styled *kumāras* or princes. It would seem that the elders of the aristocratic families (*rājakulas*) constituted the core of this Assembly, for we have an instance of the *rājakulas* being credited with the right of declaring war. The Assembly had its regular meeting-place called the *santhāgāra* or the mote-hall within the city limits. The head of the State was the *senāpati* (the exact Sanskrit equivalent of the Greek *strategos*) with probably a variant in the shape of a body of *pāmokkhas* or *mukhyas* (who may be said to correspond to the Roman consuls). The *senāpati* was elected by the Popular Assembly, we do not know for what term. We also hear of *parisās* who probably functioned as the body of ministers advising the executive head or heads. But we are left completely in the dark about their functions.[3]

We have some knowledge of the working of the administrative services among the republican communities. The officers bore the same title (*mahāmatta* and *amachcha*) as their counterparts in the contemporary monarchies, and were probably charged with the same functions. The creation of a regular police force with a distinctive uniform is hinted at in the title *lambachūḍa* (man with a high head-dress) in use among the Koliyas. An office which has not yet been explained was that of *kāraṇapāla*, in vogue among the Lichchhavis.[4]

We have some reasons to think that the republics usually consisted of a metropolitan city with dependent towns or settlements functioning under its authority. From a few Pali canonical texts (*DN* II 147, 159, 207) we learn that the Mallas had their *santhāgāras* not only at the capital city of Kuśīnagara, but also at Pāvā and other minor administrative centres.[5]

We may supplement the above account of republican constitutions, culled chiefly from the Pali canonical and non-canonical sources, by the story of the career of a high official (almost certainly a historical figure of the time) which we find in a Sanskrit Buddhist canonical work. When Khaṇḍa, the trusted and able *agrāmātya* or chief minister of the king of the Videhas, we are told in this extract belonging to the *Vinaya* section of the Mūlasarvāstivādin school of Buddhism (Gilgit MSS, Vol. II, Part II, pp. 5ff), found himself in danger from his master's unjust suspicions, he reflected that he would suffer the same fate if he betook himself to Śrāvastī, Vārāṇasī, Rājagṛiha and Champā, which were likewise ruled by one man. He therefore decided to seek asylum in Vaiśālī which was ruled by a *gaṇa* in such a way that what was approved by ten men was not approved by twenty men. Reaching Vaiśālī he was admitted by the Vaiśālīans not only to the sittings of the Assembly, but eventually into its deliberations. Later, when the old *senāpati* of Vaiśālī died, the Vaiśalīans elected Khaṇḍa in his place. The Lichchhavis of Vaiśālī, the story continues, used heretofore to address others in rough language. But their language became modest when they began to listen to the advice of Khaṇḍa. After Khaṇḍa's death the Vaiśālīans assembled together to elect a new *senāpati*. When some members proposed the name of Khaṇḍa's elder son, others suggested the name of his younger son, Siṁha, and the latter carried the day. When Siṁha, just before his election, sought to step aside in favour of his elder brother, he was sharply reminded that the office did not belong to his family, but lay entirely at the disposal of the *gaṇa*. We read further that all the missives, which were formerly issued under the orders of the *gaṇa* headed by Khaṇḍa, were thereafter drawn under the order of the *gaṇa* headed by Siṁha.

The conclusions which be may drawn from the above story for our present purpose about the general characteristics of republics of this period appear to be the following. Firstly, the distinction between the two types of polity, namely, the monarchies which were ruled by one man and the republics which were ruled by the many with complete freedom of debate in their Assemblies was well known at the period of the rise of Buddhism. Secondly, the Assembly exercised the sovereign right of electing the *senāpati* or the executive head, and it enjoyed absolutely unfettered discretion in the matter: the decrees of the republics were issued jointly in the names of the *senāpati* and the Assembly. Thirdly, the republican Assemblies in their best days were in the habit of strengthening themselves by the admission of distinguished *émigrés* to full rights of citizenship. Fourthly and lastly, the style of official correspondence of the republican authorities sometimes fell below that which prevailed among monarchies.

A slighter testimony to the working of the constitution of the Lichchhavis of Vaiśālī is preserved in an extract of another Buddhist Sanskrit canonical work, namely, the *Mahāvastu*, which claims to belong to the *Vinaya* section of the Lokottaravādin sub-school of the Mahāsāṅghikas. This extract (*Mahāvastu*, Vol. I, pp. 254ff, Senart's edition) relates to an episode in the Master's career concerned with his visit to the Vaiśālīan city by invitation of the Lichchhavis. When Vaiśālī was afflicted with an epidemic by an evil *yakshiṇī*, we are told in this highly detailed and picturesque extract, the

Vaiśālīans at first sent for a number of contemporary religious leaders for allaying this disease with their presence. When the efforts of these leaders failed in their purpose, they were advised by a divine agency to invite the Buddha then sojourning at Rājagṛiha, capital of King Bimbisāra of Magadha. The *gaṇa* accordingly sent a courtier (*mahattaraka*) with a message of invitation to the Master in the name of the Lichchhavis of Vaiśālī. Being directed by the Buddha to secure the prior permission of Bimbisāra and learning from him his condition of a splendid reception for the saint for granting this permission, the courtier sent *dūtas* (envoys) to the *gaṇa* of Vaiśālī. The Lichchhavis decided to accept this condition and sent a reply accordingly. Thereupon the Buddha proceeded to visit the city and was accorded a right royal reception. Then the disease was allayed by his presence. The conclusion that may be drawn from the above story is that among the Lichchhavis diplomatic relations with foreign monarchs were habitually disposed of by the *gaṇa* meaning in this context the sovereign assembly of the republic.

We may next consider the constitution of the Śākyas of Kapilāvastu which appears to us to be a peculiar type of polity unlike the regular republican type. A great controversy has arisen in recent times about the nature of their constitution, some saying that it was a republic with a sovereign clan-assembly and an elected president, others alleging that it was a hereditary monarchy with a king ruling over the whole State, and still others maintaining that it was a republic of a complex type with an elected chief and an assembly controlling the whole administration along with a number of small administrative units each of which was a State in miniature. None of these views, which are based upon different interpretations of some *Jātaka* texts, is found to withstand the test of scrutiny. On the other hand, a careful consideration of the older and more authentic canonical texts suggests that the Śākyas had a hereditary ruler as well as an assembly of the ruling class or caste. In other words, the Śākyas had a mixed constitution combining monarchical with aristocratic elements unlike the usual aristocratic type of *saṁghas*. This interpretation is in line with the striking omission of the Śākyas from the typical examples of *saṁghas* and *gaṇas* quoted in the texts. It is only in the later and less reliable accounts that the Śākya constitution is described as an aristocracy with a sovereign general assembly. This appears to have been due to the desire of later writers to bring the original Śākyan constitution into line with the familiar *saṁgha* type.[6]

REPUBLICAN LEAGUES

The rise of the unitary republics mentioned above was accompanied by the formation of a few republican leagues. Among the examples of such leagues may be mentioned those of the Vajjis of Vaiśālī in the middle Gaṅgā basin, the Andhaka-Vṛishṇis in the upper Gaṅgā valley and the Kshudraka-Mālavas in the Indus valley. The Vajjis are said to have consisted of eight component clans. But nothing is known of their federal constitution. The

Andhaka-Vṛishṇis would appear from a reference in Pāṇini (vi 2.34) to have formed a federation based on joint rule by the supreme executives of these tribes. Of the Kshudraka-Mālavas it will be convenient to speak in a later chapter (Chapter xii). In a few Jaina canonical texts (*Kalpasūtra* 128, *Nirayāvalī* i 57) reference is made to the alliance of nine Lechchakis, nine Mallakis and eighteen *gaṇarājas* of Kāśi-Kośala for the purpose of consultation on a proposal of the contemporary king of Magadha, and afterwards for the purpose of fighting the king. It is natural to identify the Lechchakis and the Mallakis with the Lichchhavis and the Mallas known to the early Buddhist texts, while the *gaṇarājas* may plausibly be identified with the chiefs of obscure republics in the same region.[7] Nevertheless the Jaina canonical passages would suggest a joint deliberation between the heads of the republics on a question of foreign policy followed by an equally joint military action. Of a republican league properly so called there is in this case no trace.[8]

DELIBERATIVE PROCEDURE OF REPUBLICAN ASSEMBLIES

The ruling assemblies of the aristocratic republics of this period to which reference has been made above have evidently no resemblance to the Vedic folk-assemblies meeting us at the dawn of our historical period. The republican assemblies in fact with their limited composition as well as sovereign powers mark a new departure in our ancient public life. A considerable controversy has arisen in recent times about the procedure followed by these assemblies. This difference of opinion has turned on the degree of application of the parallel procedure of the Buddhist ecclesiastical assemblies for the purposes of transacting their distinctive acts (*saṁgha-kamma*), and of settling their disputes and for taking disciplinary action against recalcitrant monks. A point missed in all these discussions is the direct testimony of two stories in the *Vinaya* section of the canon belonging to the Mūlasarvāstivādin school of Buddhism. This proves *firstly*, that the assemblies used to discuss momentous issues of the State (like the surrender to a besieging force and the election of the executive head) with complete freedom, and *secondly*, that the questions at issue were decided by the unanimous opinion of the citizens, and, in default, by the voice of the majority. Turning to the indirect evidence of Buddhist ecclesiastical procedure, we may reasonably suppose that it applied in a general sense likewise to the procedure of the republican assemblies. In the republican assemblies it would thus appear that an official proposal was normally brought forward in the familiar form of a motion, which being put to the vote once or thrice (as the case might be) was declared carried if there was no opposition. In the contrary case of opposition to the proposal the decision was probably reached, as in the canonical assemblies, by reference to a committee (*ubbāhika*) of the assembly and in the last resort by an appeal to the majority vote (*yebhuyyasikā*) subject to very material interference by the presiding officer. Like their ecclesiastical counterparts the republican assemblies might have had definite rules about quorum and the recording of absentee votes and so forth. On the other hand it seems certain that the initiative for bringing forward proposals before the members of the republican assemblies lay not with an officer specially elected for the occasion, but with the chief magistrate (*senāpati*) or with other high officers (*pāmokkhas*) periodically holding office, while the acceptance of such proposals by the others was not always expressed by mere silence. Finally, it may safely be affirmed that the methods of settlement of disputes in the republican assemblies, in as much as they were accompanied by political sanctions, differed in degree as well as in kind from those known to the Buddhist *saṁgha* gathering.[9]

SOME LEADING CHARACTERISTICS OF REPUBLICAN ADMINISTRATION

It seems certain that the republican type of polity described above was set in a new social and religious environment. A characteristic feature of social life in the republics, which distinguished it from that of the contemporary monarchies was the superiority of the Kshatriyas over the Brāhmaṇas in the social scale. Again, the new religious movements started by Mahāvīra and Gautama Buddha were led by teachers springing from the republican soil. Nevertheless the long and well established tradition of the monarchic States seems to have exercised a strong influence upon the republican administration of which the leading features may be summarized as follows :

Firstly, the excessive formalism and ritualism of the governments recalls the tendencies of the late Vedic State. We have the *Jātaka* tradition of a sacred tank (*maṅgala-pokharinī*) from which water was drawn for consecration of the ruling order of nobles (*gaṇarājakula*). The tank was so closely covered with a net that not even a bird could get through, while guards were placed over it for preventing its use by the public. Again, we have the canonical tradition of the excessively formal reception of the Buddha by the Mallas at their *santhāgāra*. It may be inferred that an equally formal procedure was in force at the sittings of the Malla assembly.[10]

Secondly, the governments of the republics exercised strict control over individuals and families by means of executive edicts as well as by legislation. The former recalls the authoritarian tendencies of the Kauṭilyan State, and the latter the strict family regulations of the *Dharmasūtra* society. On the occasion of the Buddha's visit to the city of Pāvā, we are told, the Mallas issued a decree (*saṇgara*) for giving him a general welcome. The decree was enforced by the penalty of a heavy fine for default. Again, we read how 'the *gaṇa* of Vaiśālī' (meaning the Lichchhavis) established a rule or convention (*kriyākāra*) relating to marriages of girls in different wards of the city, and decreeing the gem of a girl born in Vaiśālī to be common property of the *gaṇa*. So strictly was this last rule enforced that even a much respected nobleman failed in his appeal for making an exception in favour of his exceptionally beautiful adopted daughter. Among the Śākyas, if we are to believe in a *Jātaka* story (No. 465, p. 145), the ban on intermarriage with even a king of supposedly lower status went hand in hand with the ban of interdining with individuals born of such unequal marriage. This is reminiscent of similar restrictions in the *Dharmasūtras* as stated above.[11]

Thirdly, the authorities in control of the republican States adopted distinctive symbols and devices. These seem to be indicated by the terms *lakshaṇa* and *aṅka* applied to *saṁghas* in Pāṇini (IV 3.127). They may be compared with the symbols on the punch-marked coins of the monarchical States of this period.[12]

STANDARDS OF REPUBLICAN ADMINISTRATION

In a well-known extract repeated with slight verbal changes in two passages of the Pali canon (*DN* I 72, *AN* IV 173) we are told about the standards of administration that prevailed at the time among the most famous republican community of the Lichchhavis (or the Vajjis). The occasion was created by a crisis in the history of the republic when its existence was threatened by Ajātaśatru, the ambitious king of Magadha. The Buddha, we are told, was consulted by the emissaries of the king before he embarked on his war for destruction of the republic. The Buddha, after assuring himself that the Vajjis were still observing the 'seven conditions of welfare' (*satta aparihāniye dhamme*) which he had earlier taught them, told the assembled people that so long as they continued to observe the seven conditions, they would prosper and not decline. The Vajjis, it is explained in the reference, assemble frequently and fully ; they meet together in concord and rise in concord and carry out Vajji business in concord : they enact nothing not already established, abrogate nothing that was already enacted and act in accordance with the ancient institutions of the Vajjians : they honour and esteem, and revere and support the Vajjian elders and hold it a point of duty to hearken to their words : no women or girls belonging to other clans are detained among them by force or abduction : they honour and esteem, and revere and support the Vajjian shrines in town and country and do not allow the proper offerings and rites, as formerly given and performed, to fall into desuetude : they fully provide for the rightful protection, defence and support of the *arahants* or saints among them so that *arahants* from a distance may enter the realm and live therein at ease. In this long extract the Vajjis are credited with the virtues of public spirit (illustrated by full and frequent attendance of the members of the popular assembly and their mutual harmony), a wise conservatism (illustrated by loyalty to the ancient traditions), moral rectitude and discipline (shown by respect for the elders and non-violence towards women of other clans), and piety (illustrated by respect for the shrines and protection of the saints). These claims are corroborated by other canonical extracts. We have, for instance, the stories of the honourable reception accorded to the Buddha on the occasions of his visit to Vaiśālī. The story of Khaṇḍa quoted above shows how a distinguished general of Prasenajit of Kośala having sought asylum at Vaiśālī was admitted to the deliberations of the assembly and was afterwards elected *senāpati* or the supreme executive head. Well might the Buddhist canonist put into the mouth of the Master (*DN* II 96 and *Vin.* Vol. I, p. 232) the striking comparison of the assembly of the Lichchhavis with that of the thirty-three gods.[13]

We have no information about the standards of administration among other republican or quasi-republican communities of the time. We may however guess that it is to their independence that the Śākyas owned at least in part that inordinate pride for which their name became a by-word in Pali canonical texts. Testimony to this characteristic trait of the Śākyan character is put into the mouths not only of outsiders, but also of the Śākyas themselves and their companions.[14]

DECLINE AND FALL OF THE REPUBLICS

The collapse of the republics and quasi-republics of the Gaṅgā basin took place within a generation after Buddha's death. From a historical tradition preserved in the Pali canon as well as the *Jātakas* it appears that the Śākyas of Kapilāvastu were massacred by Viḍūḍabha, son and successor of the Kośala king Prasenajit, a contemporary of the Buddha. This must have been followed by annexation of the Śākya territory to the Kośala kingdom. Again, the Buddhist and the Jaina canonical texts have preserved traditions of the Magadha king Ajātaśatru's war for the conquest of Vaiśālī.[15] The causes of this collapse, to judge from the available data, were both internal and external. Firstly, as regards the internal causes the public as well as the private virtues of the republican peoples appear to have suffered a sad decay. In a well known Jaina canonical text (*Ācharāṅgasūtra* II 3.1.10) the republican State (*gaṇarājya*) is included in a list of regions which a Jaina monk or nun on pilgrimage should avoid if possible. This ban is justified by the remarkable argument that the ignorant population may bully, beat and so forth the mendicant on the supposition that he is a thief or a spy, or that he comes from a yonder hostile village, or otherwise they might take away, cut off, steal or rob the mendicant's robe, alms-bowl and mouth-broom. We next turn to a Pali cononical text (*SN* II 267–8) containing a remarkable premonition of the impending downfall of the Lichchhavis because of the decline of their pristine virtues. The Buddha, we are here told, prophesied that so long as the Lichchhavis would remain strenuous, diligent, zealous and active, prosperity would be with them and no adversity would befall them, but if they were to be given to luxury and indolence, they were sure to be conquered by Ajātaśatru, king of Magadha. Passages in the Sanskrit Buddhist classical literature bear direct testimony to this degeneracy of the Lichchhavis. In a passage of the *Lalitavistara* (Lefmann's ed., p. 21) the Lichchhavis are characterized as a people lacking in fair play and torn asunder by mutual dissensions.[16] The cumulative evidence of the above passages proves the loss of those very virtues for which the Vajjis in

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particular had been praised in the earlier texts. These comprised, as we have seen above, the virtues of respect for an incoming holy man, of a sense of justice, and of regard for discipline. In the case of the Śākyas, if the historical tradition is to be believed, the cause of their destruction is to be sought in their inordinate pride of birth, which led them to offer a slave girl in marriage to Viḍūḍabha, heir and successor of Prasenajit of Kośala. The external causes of the downfall of the republics may be traced to the aggressive designs of two neighbouring powerful monarchies, namely, those of Magadha and Kośala. These designs were backed by the undoubted superiority of the monarchic States not only in military resources, but also in diplomacy and in military equipment. In the Pali canonical texts (*DN* i 72, *AN* iv 173) quoted above in part, we read how the ministers of King Ajātaśatru, being convinced by the Buddha of the futility of destroying the Vajjis by force of arms, decided to take recourse to stratagem for creating dissensions among that people. These stratagems no doubt were of the kind so clearly and unblushingly advocated by Kauṭilya (xi 1) with the avowed object of enabling a king to win over hostile *saṁghas* to his side (see Chapter iv). We have again a remarkable Jaina canonical text (*Uvāsagadasāo*, Vol. ii, Appendix, p. 60) which has preserved the memory of two new military machines that Ajātaśatru employed in his wars with the Vajjis. Coming to another point we have the testimony of a Pali canonical text (*DN* iii 83) stating that the Śākyas of Kapilāvastu even in their best days were vassals of the king of Kośala. Of the Mallas of Kuśīnagara it will be sufficient to state that their capital city is described in a number of canonical texts (*DN* ii, pp. 146, 169) as a little wattle and daub town (*kuḍḍanagaraka*) and as a branch town (*śākhānagara*) in contrast with a number of famous towns of the time.

CHAPTER X

NOTES

[1] *Historical instances of replacement of monarchies by republics* : (a) Videha, a renowned kingdom in the late Vedic period, was split up into a number of republican communities in the time of the Buddha; (b) Kurus and Pañchālas of the upper Gaṅgā basin forming a monarchy in the late Vedic Age are quoted by Kauṭilya (xi 1) as a typical illustration of *saṁghas* making use of the royal title; (c) Śivis of the Punjab still remembered as a weak monarchy in the *Jātaka* stories are mentioned as 'an autonomous tribe' by Alexander's Companions. For the ref. in Diodorus see J. W. M'Crindle, *Ancient India as described by Megasthenes and Arrian*, Calcutta edition, pp. 35–6. For the story of the descent of the Śākyas from the royal house of Kośala see *DN* i, pp. 92–3, where we are told how four brothers and their four sisters having been expelled by their royal father at the behest of their step-mother took refuge on the slopes of the Himalayas and inter-married with each other to preserve the purity of their race.

[2] For discussion of the nomenclature of *saṁgha* and *gaṇa* during this period see *SIHC* pp. 361–4, where full references are given. On the use of *saṁgha* and *gaṇa* in the specific sense of a republic compare (a) Kāt. on Pāṇ. iv 1.168 (*saṁgha* meaning a territory as well as a Kshatriya clan ruled by the many in contrast with *janapada*

ruled by a Kshatriya *ekarāja* or a single Kshatriya king); (b) *Avadānaśataka*, II 103 (the reply of merchants from Madhyadeśa or the Middle Country visiting Dakshiṇāpatha or the Southern Region in answer to a king's query that some States were subject to *gaṇas* and some to *rājans*). With the above may be compared the title *gaṇarājya* in the sense of a republic in an enumeration of different types of polity in the Jaina canonical work called *Āchārāṅgasūtra*, for which see below. Refs. to typical examples of republics : (a) *MN* I, p. 231 (Lichchhavis and Mallas quoted as examples of a *saṁgha*) ; (b) Devendra's commentary on *Uttarādhayanasūtra* IV 9 (Mallas quoted as examples of *saṁghas*) ; (c) *Mūlasarvāstivāda-Vinaya* in Gilgit MSS, Vol. II, Part II, p. 5 (distinction drawn between Videha, Śrāvastī, Vārāṇasī, Rājagṛiha and Champā, which were ruled by one man, and Vaiśālī which was ruled by a *gaṇa* in such a way that what was approved by ten men was not approved by twenty men). The explanation of *saṁgha*, in Pāṇini, as a republic and still more its division into two groups (Agrawala, *India*, Chap. VII, Secs. 5–8) cannot but be regarded as hypothetical in the absence of contemporary corroborative evidence.

[3] For a full discussion of republican constitutions of this period with particular ref. to the constitutions of the Lichchhavis and the Mallas see *SIHC* pp. 366ff, 381ff. We give below some important references : (a) *DN* II, p. 165 ; *MN* X, p. 22 (Kshatriya castes of the Lichchhavis and Mallas ; (b) *DN* II, pp. 207f (title *rājan*) ; (c) *Jāt.* No. 465, pp. 148, 272–3 (7707 *rājans* living at Vaiśālī, and 700 *rājans* of the *sabhā* or assembly of the Kurus) ; (d) cf. *Jāt* No. 547, pp. 514–17 (60,000 Khattiyas at the capital of the Cheta State, all of whom were styled *rājans* : proposal of *rājans* to send ambassadors to a foreign king and offer to make a refugee prince their ruler). (e) *Jāt.* No. 536, pp. 412–14 giving the story of a quarrel between the Śākyas of Kapilavatthunagara and the Koliyas of Koliyanagara (the Śākya and the Koliya labourers, having started a quarrel about distribution of irrigation water from a boundary river, reported to the respective *amachchas* employed for this kind of work, and they in their turn reported the matter to the respective *rājakulas* : when the Śākyas and the Koliyas sallied forth for the fight, the Buddha, coming upon the scene, pacified the parties who gratefully presented him with an escort of 250 *kumāras* or princes each) ; (f) *Jāt.* No. 466, p. 158 (ref. to Śākya *rājakulas*) ; (g) *AN* III, pp. 38–40, ibid. IV, pp. 79–82, *DN* III, p. 15, *Vin.* Vol. I, p. 233 (names of Lichchhavi *senāpatis*) ; (h) *SN* IV, p. 341, (institution of *pāmokkhas* among Mallas and Chetas as well as Koliyas) ; (i) *AN* IV, p. 179, *Vin.* Vol. I, p. 233 (*parisās* among Lichchhavis and Mallas). The inference (Agrawala, *India*, p. 431) drawn from the terms *pañchakaḥ*, *daśakaḥ* and *viṁśakaḥ* in Pāṇini, V 1.58–9, about an executive body of the *saṁgha* consisting of groups of 5, 10 or 20 persons is not sufficiently authenticated. It is interesting to observe that the constitution of Kauṭilya's composite type of *saṁgha*, such as can be made out from his incidental references (XI 1), bears a general similarity to the structure of the republican constitutions mentioned above. For firstly, the *mukhyas* (as the supreme executive were called) possessed *inter alia* the right of deciding suits of inheritance and deposits by women. Further, the Assembly collectively owned movable (and no doubt also immovable) property, and it could try the *mukhyas* for such crimes as the abduction of women. With the title *mukhya* above mentioned we may compare the titles *gaṇamukhya* and *gaṇapuṅgava* in *Bṛihatsaṁhitā* (IV 24).

[4] Ref. (a) *DN* III 19f (a *mahāmatta* of the Lichchhavis mentioned by name) ; (b) *AN* III 236 (a Brāhmaṇa *Kāraṇapāla* said to be carrying on *karmānta* or administrative work among the Lichchhavis) ; (c) *SN* IV 341 (policemen among Koliyas) ; (d) *Jāt.* No. 536, p. 413 (*amachchas* among Koliyas).

[5] For criticisms of some current views of republican constitutions, namely, that they were democracies, that the Lichchhavi polity is to be regarded as a unitary republican State ruled by a select body of hereditary nobles or a republic of a complex type with each member of the ruling assembly forming a State in miniature, or a federal State with autonomy for each constituent principality, see *SIHC* pp. 366f, 389ff. We may

consider in the present context some highly original ideas of Dr. V. S. Agrawala about the references to republics in Pāṇini. According to this scholar (*India*, p. 436) not only were the *āyudhajīvisaṁghas* mentioned by the grammarian as a species of republics, but also the *śreṇī*, the *pūga* and the *vrāta* (Pāṇ. v 3. 112–13) constituted three 'elementary forms of democratic institutions'. There seems to be no warrant for any of these interpretations. The *āyudhajīvisaṁghas* were evidently an organized band or company of warriors and had no political significance as such. The terms *pūga*, *śreṇī* and *vrāta* are explained in different senses by the best authorities of later times. But there is a general agreement on the point that these were social and economic groups and nothing more. In the late Kāśikā commentary on Pāṇini (v 3. 112 and 113), for example, *pūga* is taken to be a multi-caste group living by peaceful occupations, and *vrāta* to be a group of the same category living by plunder and such occupations. In the second place, Dr. Agrawala (*India*, p. 437) takes Pāṇini's terms *śreṇībhūta* and *pūgībhūta* (Pāṇ. II 1.59) to mean that these were bands of *āyudhajīvisaṁghas* who were 'coming under the influence of political awakening' and 'emerging into organized political life'. This involves an unnecessarily forced interpretation, the phrases naturally signifying the transformation of unmixed masses of people into organized groups living by various occupations. We may refer in the next place to the far-reaching conclusions drawn by Dr. K. P. Jayaswal (*Hindu Polity*, pp. 27n, 99) from Pāṇini's rules relating to *saṁgha*. These are, firstly, that the republics 'extended their citizenship to outsiders' and secondly that in contrast with *achitta* or 'non-purpose' and 'non-thoughtfulness' 'political *bhakti* or loyalty is a considered and rational condition of the mind.' The same author interprets (p. 27 and n) an anonymous Jaina canonical text quoted in the great Jaina Prakrit dictionary, the *Abhidhāna-Rājendra* (Vol. III s.v. *saṁgha*), in the sense that unlike the non-constitutional *gaṇas* the constitutional *gaṇa* or the real *gaṇa* was 'a conscious body of men', and was 'a corporate assembly as opposed to a mere institution or chance collection'. These interpretations are more ingenious than convincing.

[6] The above is based on the discussion of the constitution of the Śākyas of Kapilāvastu in *SIHC* pp. 391–8, where full references are given. Some select references are given below: (a) *CU* VII 1.3.5 (story of Bhaddiya, *rājā* of the Śākyas); (b) *Jāt.* No. 536, p. 413 (Śākya kings and *rājakulas*); (d) *DN* Vol. I, p. 71, *MN* Vol. I, p. 353, ibid. p. 457 (Śākyas assembled in *santhāgāra*).

[7] Such are the Bulis of Allakappa, the Koliyas of Rāmagrāma and the Moriyas of Pipphalivana who are mentioned in a Pali canonical text (*DN* Vol. II, p. 287) as claiming their share of the Buddha's 'body-relics' after his cremation along with such republican clans as the Lichchhavis of Vaiśālī, the Mallas of Pāvā and the Śākyas of Kapilāvastu.

[8] Dr. K. P. Jayaswal, *Hindu Polity*, pp. 36, 47 and 58, on the contrary holds that the Andhakas and the Vṛishṇis had 'a joint federal constitution' with 'executive powers vested in two *rājanyas* or presidents', that the Videhas and the Lichchhavis were 'united in a league' under the title of *samvajjis*, while the Lichchhavis and the Mallas 'formed a federation' with a Federal Council of 18 members (9 Lechchhakis and 9 Mallakis) called *gaṇarājas*, and that the Kshudrakas and the Mālavas already in Alexander's time 'formed a league'. As for the first statement Pāṇini's text (VI 2.34), as we observed above, supports the case for joint rule by the executives of the Andhakas and the Vṛishṇis, but it does not further justify the conclusion about rule by two *rājanyas* as Presidents. *Mahābhārata* XII, Chap. 81, quoted by the author refers to groups or factions and their leaders, such as are common in most republics, but not to an institution resembling that of two Presidents of a federation. The same criticism applies to the author's quotation of the groups cited from Kāśikā on Pāṇini. As for the second statement, the author quotes no original text for the alleged league of the Videhas and the Lichchhavis, while his explanation of the term *samvajjis* is highly problematic. Again, the Jaina canonical text cited by the author mentions the alliance of 9 Lechchhakis, 9 Mallakis and 18 *gaṇarājas* making up a total of 36 members. What is still more important, the description in the Jaina text, as has been pointed out above,

suggests not a Federal Council in control of the league, but rather a temporary joint military action against the common enemy. As regards the third statement, it will be shown later (Chapter XII) that according to the Greek writers the 'Oxydrakai' and the 'Malloi' at the time of Alexander's invasion had just cemented their alliance by intermarriages after being at feud with each other apparently for some long time before.

[9] The above is a summary of the discussion in *SIHC* pp. 371ff. In his learned work, *India*, Dr. V. S. Agrawala plausibly argues (pp. 431–3) that *gaṇatitha* of Pāṇini (V 2.52), means on the analogy of *gaṇapūraka* of the Pali canonical texts a person whose attendance completes the quorum of the *saṁgha*. He may also be correct in his view (loc. cit.) that the *pañchad-varga* and the *daśad-varga* of Pāṇini (V 1.60) is the counterpart of the *dasadyagga-gana* and *pañchavagga-gaṇa* of *Mahāvagga* (IX 4.1), meaning the quorum needed for the initiation of monks and for other purposes in the outlying areas. But his further conclusion that Pāṇini refers to voting as well as to party government is unconvincing.

[10] Refs. (a) *Jāt.* No. 465, pp. 148–9 (*maṅgalapokkharinī* at Vaiśālī); (b) *DN* III 207–9 (at a reception by the Mallas in a newly built *santhāgāra* Buddha took his seat facing the east and facing the central pillar).

[11] Ref. (a) *Vin.* Vol. I, p. 24 (decree of the Mallas that whoever would not go forth to welcome the Buddha would be liable to a fine of 500 pieces of coins; admission by Roja, introduced to us as a very well known and distinguished person among the Mallas that he had gone forth to welcome the Blessed one not out of liking for him and his faith but for fear of being fined by the clansmen); (b) Gilgit MSS, Vol. III, Part II, pp. 3ff, 15ff (Vaiśālī divided into three wards, namely, good, intermediate and bad: rule established by the *gaṇa* of Vaiśālī that a girl born in the first ward could be given in marriage only in the first ward and not in the second or third ward, that one born in the second ward could be given away in the first or the second but not in the third ward, while a girl born in the third ward could be given away in any one of the three wards: rule likewise established that the gem of a girl born at Vaiśālī would not be given away in any ward but would be the common possession of the *gaṇa*: when Mahānāman, who had brought up an exceptionally beautiful foundling (Āmrapālī) as his daughter, asked for permission of the assembled *gaṇa* to bestow her in marriage upon a bridegroom of his social status, the *gaṇa* insisted upon Mahānāman's observance of the last mentioned rule, and he was forced much against his will to bow to its decision). (c) *Jāt.* No. 465, p. 195 (introductory story of Śākyas deliberating among themselves between the two evils of refusing a girl of their clan in marriage to the king of Kośala for fear of rousing the anger of their overlord, and of giving him such a girl for fear of breaking their *kulavaṁsa* or family custom).

[12] The view (Agrawala, *India*, p. 433) that the *aṅka* of Pāṇini corresponds to the legends on coins of the Yaudheyas and the Mālavas (which have been assigned to the period from the 2nd century B.C. to the early 4th century A.D. and that of the 2nd and 3rd centuries A.D.) is extremely improbable.

[13] The same impressive comparison is put into the mouth of the Buddha in *Mahāvastu* (Vol. I, p. 262, Senart's ed.), with an apparently misplaced reference to the splendour of their reception of the Master at the time of his visit to Vaiśālī.

[14] For some refs. to the pride of the Śākyas cf. (a) *DN* I 90 (a proud Brāhamaṇa stung by the discourtesy shown to him in a meeting of the Śākyas characterizes them as a rough and rude people); (b) *Vin.* Vol. III (*Chullavagga*), pp. 180, 181–2 (when some young Śākya nobles, intending to accompany their king Bhaddiya in his renunciation of the world, make over their ornaments to the barber Upāli, the latter decides to follow suit for fear that the Śākyas being a fierce people would slay him under the impression of his having induced these young men to go forth from home to homelessness.

[15] Refs. (a) *DN* I 72, *AN* IV 173 (Ajātasattu, having formed a grim resolve for the total overthrow of his Vajjian adversaries, sends two ministers to consult the Buddha;

the Buddha being assured by his companion Ānanda to that effect, declares that so long as the Vajjis observe the seven conditions of welfare which he had taught them while residing at Vaiśālī, they would not decline but prosper: the ministers thereupon decide that the Vajjians could be overcome by Ajātasattu not in battle but only by cunning (*upalāpana*) and by breaking down their alliance (*mithubheda*); (b) *Jāt.* No. 465, p. 152 (story of Viḍūḍabha's massacre of the Śākyas, beginning with the babies at the breast, out of revenge for the trick played by them in giving away a slave girl in marriage to his father).

[16] In the extract referred to, the charge is quoted against the Lichchhavis of Vaiśālī that among them there is no just mutual intercourse, no piety, no regard for the high and the middling, the aged and the senior, but on the contrary every one says to the other 'I am the *rājan* (king) and the *rājan*'.

CHAPTER XI

INTER-STATE RELATIONS

In the previous chapters we have attempted a survey of the State organization of the pre-Maurya monarchies and republics in all their branches. It will now be our endeavour to complete our study with an examination of relations of the States *inter se*. It is true that friendly and hostile relations between neighbouring communities are as old as the beginnings of organized political life. In the Vedic Age we hear of wars and alliances not only between the Vedic Aryans and the *Dasyus* or the aborigines, but also among the Indo-Aryan communities themselves. It is to the pre-Maurya period nevertheless that we can trace in the recorded history of our land the first more or less permanent grouping of States on friendly, hostile or neutral terms with one another, or in other words, the creation of a true State-system. To the same period, again, we can assign the first classified list of types of foreign policy and their sub-types, and what is more important, the first conscious attempt to apply them on rational principles.

CREATION OF A STATE-SYSTEM

The authors of the *Arthaśāstra* introduce us to two types of groupings of States, namely, the simple and the composite. As regards the simple type, one of the fundamental categories of the *Arthaśāstra* thinkers is that of the seven constituent elements (*prakṛitis*) of the political organization (*rājya*). The list (*KA* VIII 1) consists, as has been stated elsewhere, of the items *svāmī, amātya, janapada, durga, kośa, bala* and *mitra*, which may be translated respectively as the sovereign ruler, the official (class), the rural area, the fortified (or urban) area, the (permanent) revenue, the (standing) army, and the (permanent) foreign ally. From the place of the *mitra* in the above list and still more from the slight value attached to him by the authorities in their discussions, it follows that he was none other than a subordinate ally or a satellite in relation to a powerful ruler. This implies an alliance between two States of unequal status, doubtless against an actual or a potential enemy. The composite type of the State-system technically called *maṇḍala* consists of an aggregate of sovereign States, which are bound by friendly, hostile as well as neutral relations with a central powerful State. The standard type as developed by the political thinkers comprises a group of twelve kings known by as many technical designations. In the conventional number of the States and, what is more important, in their schematic arrangement, we have convincing evidence of the essentially literary and scholastic character of this grouping of States. It is significant that no reference to this composite type is traceable in any other contemporary source; although a word-form reminiscent of one of these States has been found in a text of Pāṇini. Indeed the *Arthaśāstra* authors themselves seem to be aware of the somewhat theoretical character of their creation, as when they distinguish between the natural and the acquired ally or enemy, the former being determined by his geographical position and the latter by political factors. With all its limitations the *maṇḍala* concept is important as pointing to a true State-system centred on a powerful and aggressive ruler and based on the principle of balance of power among his neighbours. It will not be unreasonable to infer that while the simple type reflects the condition of inter-State relations of the time at its simplest, the composite type is the reflection of the alignment of State relations created by the rise of the contemporary powerful monarchies within their respective zones.[1]

DIVISIONS AND SUB-DIVISIONS OF FOREIGN POLICY

The creation of the State-system in the *Arthaśāstra* works is accompanied by the development of an extraordinarily complete body of relations between the States. The complete enumeration of the types of foreign policy known to this period consists of the *Arthaśāstra* category of six *guṇas* (*KA* VII 1). The list comprises the items, peace (*sandhi*), war (*vigraha*), marching against the enemy (*yāna*), neutrality (*āsana*), seeking protection from a powerful king (*saṁśraya*) and the dual policy (*dvaidhībhāva*).[2] Not only do the authors distinguish between the above types of foreign policy, but they also sub-divide them on various principles with almost pedantic thoroughness. These sub-types are usually indicated by the appropriate prefixes attached to the generic term.[3]

CANONS OF FOREIGN POLICY AND PRINCIPLES OF THEIR APPLICATION

A convincing expression of the creative genius of this Age consists in the formulation of canons for application of foreign policy in the advanced systems of the time. We may begin by referring to a somewhat composite and evidently late text of Vishṇu (III 38–9). The king, we are here told, shall apply as is required by the time and the occasion the four-fold policy of conciliation, dissension, gift and force of arms towards his enemy (*śatru*), his ally (*mitra*), the neutral king (*udāsīna*) and the intermediate king (*madhyama*) : he shall apply as the time demands the six-fold foreign policy, namely, peace, war, attack, neutrality, seeking refuge and duality. In other words expediency in the context of the well known categories of diplomatic expedients as well as of types of foreign policy should be the key to the application of inter-State relations. The most complete account is found, as usual, in Kauṭilya's *Arthaśāstra*, where the ideas of the older authorities are developed. The canons laid down by the *Arthaśāstra* thinkers involve, in the first place, the application of the principle of expediency based upon an intelligent estimate of the relative strength of two States. The Aggressor, we are told (*KA* VII 1). should conclude peace when he finds himself to be weaker than the enemy: he should wage war when he finds himself to be stronger; he should adopt neutrality when he feels that neither he nor his enemy can overcome the other; he should march forth for attack when he is equipped with excess of strength; he should take refuge when he is weak; he should adopt the dual policy in a matter requiring another's help. The objective of foreign policy, it is explained (loc. cit.), is a king's all-out achievement of Power (*śakti*) and Success (*siddhi*), or at least the denial of the same to the enemy. In the above the element of Power is said to comprise the strength of the king's counsel, that of his material resources and that of his personal prowess, while Success is held to consist of the three-fold gain won by these processes. The key to the selection of a particular type of foreign policy, we are told in the same context, is the attainment of Progress (*vṛiddhi*) meaning promotion of the total development of a king's military and economic resources and their denial to his enemy. This is explained in detail to mean a king's promotion of his own productive works at the expense of those of his enemy as well as strengthening his own military and political position to the detriment of that of the enemy.[4] Some further indication of the complexity of inter-State relations according to the ideas of the *Arthaśāstra* authors is found in their discussion of the application of the sub-types of treaties (*sandhi*) and of attack (*yānas*). The divisions of the treaties in Kauṭilya's *Arthaśāstra* (VII 9–12) turn on their different objectives, namely the joint acquisition of an ally or cash or territory (*mitrasandhi*, *hiraṇyasandhi*, *bhūmisandhi*), the joint colonization of waste lands (*anavasitasandhi*) and the joint undertakings for construction of civil and military works (*karmasandhi*), while the discussions are centred on the relative advantages of different types of allies or cash or territory, of lands and forests, of land-routes and water-routes of different categories. As regards the policy of attack its selection is treated by an early *Arthaśāstra* authority as well as by Kauṭilya (VIII 1 and 4) in effect as a military problem in the widest sense of the term. It is explained that this requires a balancing of the relative strength of two rival States from the stand-point of the three principal factors of power, place and time as well as of the subordinate factors like the risk of attack in the rear, the probable loss and profit and the prospective gain. The selection of the policy of attack in Kauṭilya's view (VII 5) is a political problem depending on the subjects' attitude towards their ruler.[5] We have no corroborative evidence of the application of the canons of foreign policy above described in the historical records of this period. Still, we may presume from the amazing vividness of the description and the probabilities of the case that the canons were largely followed by powerful States of this time in their unceasing struggle for ascendancy.

STANDARDS OF INTER-STATE RELATIONS

Of the standards of peace and war and so forth we have practically no information in the Vedic Age. Coming to our period, we may state that a composite and even contradictory picture of inter-State relations is presented

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by the *Jātaka* stories of invasions and conquests of one kingdom or group of kingdoms by another. On the one hand, we are told how model kings on being attacked by an invader offered no resistance in spite of the urgent entreaties of their ministers and generals, and how finally they overcame the invader by exhibiting their own goodness, or else by the aid of divine intervention. On the other hand, we read how unscrupulous and ambitious kings, oddly enough at the instigation of their *purohitas*, planned schemes of conquest with the utterly selfish aim of gaining mastery over all *Jambudīpa*, and how these schemes were carried out with equal cunning and cruelty.[6] One cannot but be struck with the evident unreality of both these types of statements about the mutual relations of States in the *Jātakas* which otherwise give us authentic accounts of contemporary life. A fuller and more realistic account is found in Kauṭilya's *Arthaśāstra*. We may summarize its chief features in the following way. *Firstly*, scant regard was paid for the sanctity of treaties. The basic chapter on this subject (vii 17) is entitled *Making and breaking of treaties*. Kauṭilya here admits the absolute immutability of the group of treaties based on solemn affirmation (*satya*) or oath (*śapatha*) in contrast with the relative immutability of the group supported by taking securities (*pratibhū*) or hostages (*pratigraha*). But this admission is practically negatived by his statement that the first group of treaties belongs to antiquity, and the second group to his own times. What is more, he discusses the relative value of the treaties of the second group in such a way as to enable one party to the treaty to overreach the other. He concludes his chapter by demonstrating the methods of nullification of the conditions of the treaties. For we are told how the *pratibhū* or the *pratigraha* is to escape in disguise with the help of spies, or else by seducing, corrupting or fighting the guards. Elsewhere (vii 3, 6, 7) Kauṭilya discusses the merits of various other types of treaties. The author's arguments are supported by demonstrations of the methods of circumventing inconvenient or onerous clauses of unequal treaties by trickery and guile. Likewise, he demonstrates the relative advantages of treaties on equal terms in such a way as to enable the one party to get the best of the bargain at the expense of the other party. As he succinctly observes in one place (vii 12), what is one party's gain is the loss of another party. The same attitude is reflected in the author's classification of treaties between the aggressive king (*vijigīshu*) and his vassal (*sāmanta*). It is an equal treaty (*samasandhi*), we are told (vii 7), when the alliance is purchased with a larger, or equal, or smaller contingent of troops and portion of the revenues by a *sāmanta* of greater or equal or less strength : it is an unequal treaty (*vishamasandhi*) in the contrary case : it is a losing treaty (*atisandhi*) when it is purchased with greater gain than what is conceded in the other two cases.

Secondly, battles and sieges were undertaken, as a rule, with particular ferocity and treachery. In one place (*KA* x 3) fighting is divided into two categories, clean combat (*prakāśa-yuddha*) and treacherous combat (*kūṭa-yuddha*). The author's admission on righteousness of the first category of fighting in this context is virtually nullified by his inculcation of expediency as the sole criterion for the selection of one of the two types. Continuing his description, the author demonstrates by concrete examples the tactics of treacherous combat in contrast with that of clean combat. At the beginning of the battle, we are told in this connexion, cash rewards on a graduated scale are to be offered to the soldiers by the general in command for the murder of the enemy king and his officers, down to ordinary troopers. We may refer in the next place to another extract (XIII 1–4) which describes the operations for the capture of a fortress. The operations include the creation of disaffection among the enemy's subjects, assassination of the enemy king by spies at 'the opportune moment' (the list of 'opportune moments' given includes the occasions when he visits holy men and shrines or performs various religious ceremonies), destruction of the enemy's accumulated stores and standing crops, assailing the enemy's fort by large-scale use of inflammable materials, and finally, capture of the fort by treachery. How much the plunder of the enemy's territory was held to be a recognized practice in warfare is proved by the fact that two regular divisions of the army (namely, the enemy troops and the troops of foresters) are recruited solely for this purpose (IX 2). Another division of the king's troops, without any specific designation, is stated in this context to live by plunder of the enemy kingdom with or without the king's permission. It should be remembered in this connexion that Kauṭilya (III 13) accepts enslavement of the prisoners of war as a recognized practice, although he provides for easy emancipation of men of the Aryan way of living reduced to this status. We may again mention that open sanction is given by the author (XIV 1–4) for the use of weapons causing widespread death and devastation in the enemy's kingdom. These 'secret weapons', as they are called, consist of various vegetable, mineral and organic preparations believed to cause instantaneous or widespread death, blindness, deafness and dumbness, madness or other diseases as well as those causing the poisoning of fodder, fuel and water. To the above has to be added a fresh list of medicinal preparations and charms for ensuring immunity against fire, of making oneself invisible, and of inducing sleep in other people.

DIPLOMATIC RELATIONS AMONG STATES

The beginnings of diplomatic relations between States go back in our country's annals to the Vedic Age. Reference is made even in the *Ṛigveda* to the *dūta* or messenger and the use of espionage against the foreign enemy.[7] The close contact among the States of the pre-Maurya period led for the first time to a clear definition of the functions, designations and status of the envoys in the authoritative works. Pāṇini (V 4.35–6) mentions technical terms (*vāchika* and *kārmaṇa*) signifying a message orally delivered and action taken in accordance with it. He likewise refers (IV 3.85) to the practice of naming *dūtas* after the country of their destination. In the *Jātakas* we have a reference to what may be called inter-State conventions guaranteeing

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free and unrestricted access of the envoys to the king's presence, and what is more, their immunity from violence at his hands.[8] The complete development of the office of the institution of envoys and diplomats during this period may be traced in Kauṭilya's *Arthaśāstra* (I 16). We may summarize this account as follows:

Firstly, the *dūtas* are divided into three grades. The *dūta* of the first grade is one who is given full discretion about the message (as to what is said): the *dūta* of the second grade is one who is entrusted with a definite message, and the *dūta* of the third grade is one who merely carries the royal mission. These grades roughly correspond to the modern division between ambassadors, envoys and chargés d'affaires. *Secondly*, a *dūta* is required to remind the enemy king displeased by his message that all kings speak through their *dūtas*, that *dūtas* have to deliver the message even if weapons are raised to threaten them, and that even the *dūtas* of the lowest castes are not to be killed. *Thirdly*, the *dūta* is asked to organize and direct an extensive system of espionage and secret propaganda in the enemy's kingdom. From Kauṭilya's detailed account of the *dūta's* secret activities, we learn that he is required to start intrigues with high officials of the enemy's kingdom, to pump out his military secrets, and to seduce the enemy's subjects. The list of the *dūta's* instructions comprises intrigues with the enemy and sowing dissensions among the enemy's supporters, and even the application of secret contrivances for killing the enemy king. In particular, the *dūta* is directed to make friends with four classes of the enemy's high executive officers, to trace out the enemy's grounds for camping and military exercises, to discover the enemy's resources (comprising the size of his urban and rural areas, his assets as well as the means of livelihood of his subjects, and lastly his defence arrangements). Further, the *dūta* is to employ secret agents variously disguised for seducing the disaffected and for espionage on the loyal enemy subjects, and to find out the disloyal sentiments of the enemy's officials towards their masters.

SOME GENERAL CHARACTERISTICS OF INTER-STATE RELATIONS

At the end of this brief survey of inter-State relations in pre-Maurya India, it seems desirable to make a few general observations. From what has been stated above, it will appear that the mutual relations of the pre-Maurya States are not inspired as a rule by any high moral principle, such as patriotism or even personal honour of their rulers. With political expediency as the sole criterion for the selection of a particular foreign policy, with the will to drive the hardest bargain in the interest of the State out of foreign policy, the relations of States usually take the form of a scramble for power or of a struggle for survival according to the strength or weakness of the State concerned. In such circumstances it might be expected that the normal relation of a State with its neighbour would be one of armed truce. This expectation is justified by a set phrase used repeatedly in the *Jātakas* about the offer of fight or surrender by an invader attacking another king.[9] In such an environment there could be no room for the development of inter-State arbitration and other agencies for inter-State co-operation, and in general for the pacific collaboration of States.[10] Admitting all these defects it is impossible to deny the inter-State system, as it appears in its most developed form in Kauṭilya's work, the qualities of unflinching tenacity as well as of intelligent and far-sighted appreciation of the various factors of a State's strength in relation to its neighbour. The same creative spirit is exhibited in its rich terminology for various types and sub-types of foreign policy, and even for various classes of envoys sent to a foreign State.[11] In all these respects Kauṭilya's work sets a record in the history of Ancient India and even of the ancient world.

END OF THE TRADITIONAL STATE-SYSTEM AND BEGINNING OF THE IMPERIAL SYSTEM

The system of inter-State relations sketched above ended with the rise of the Nanda Empire which absorbed within its compass all the other States of the Gaṅgā basin and the Malwa table-land (see Chapter I). The memory of this mighty revolution is preserved in the Paurāṇic genealogical tradition which remembered the founder of the dynasty as one who exterminated the Kshatriyas and established sovereignty over the whole known Indian world. The historical importance of this first great Empire known in our country's annals is that it gave the first concrete shape to the vague ideas of the Universal Emperor (*chakravartī* or *sārvabhauma*) which arose in the late Vedic period and found various expressions in the following Age. The scanty notices of organization of the empire of the Nandas which can be gleaned from our sources may be summarized under the following heads:

1. MILITARY ORGANIZATION

In the accounts of the classical (Greek) writers Agrammes or Xandrames, the last king of the dynasty, is credited with maintaining a standing army of colossal proportions. This is said to have consisted of 20,000 cavalry, 200,000 infantry, 2,000 four-horsed chariots, and 3,000 (according to other accounts 4,000 or 6,000) elephants. We have no means of checking the accuracy of these figures and of comparing the numerical strength of the armies of the Nandas with those of their predecessors. But the above account at least shows that the Nandas, while maintaining the traditional composition of the army, kept the strength of each division at a very high level. It may safely be presumed that the recruitment and maintenance of the army, the organization of its military command, the production and storage of armaments, the upkeep of army transports and remounts and so forth, were continued with the same high standard of efficiency as is depicted in Kauṭilya's work.

2. ECONOMIC ORGANIZATION

The reminiscence of a particular variety of weights (*māna*) introduced by the Nandas is preserved in the Pāṇinian grammatical tradition. This innovation is in line with the policy of regulation of weights and measures laid down by Kauṭilya (see Chapter v). It may be symptomatic of the continuity of the policy of State control over industry and trade so well described in Kauṭilya's work. Again, if the tradition of construction of a canal in distant Kaliṅga by a Nanda king, which is recorded in a famous inscription of the second or first century B.C. (the Hāthigumpha inscription of Khāravela) is based on fact, it would appear that the Nandas followed the Kauṭilyan policy of encouragement of agriculture by the construction of irrigation-works. It is probably safe to infer that the policy of the State working of mines and forests as well as of selected industries and trades, which belongs equally to the *Arthaśāstra* tradition, was in existence under the rule of these emperors.

3. FINANCE

It may safely be inferred that the finances of the Nanda Empire reached a fairly high level to suit the requirements of the civil and military administration of the enlarged State. According to a late Siṁhalese tradition the Nandas levied taxes, among other articles, even on skins, gums, trees and stones — a group reminiscent of the miscellaneous taxes on cultivators sanctioned in the *Dharmasūtras*. The creation of a substantial reserve in the State treasury by the Nandas in accordance with the *Arthaśāstra* tradition is hinted at in the stories of their accumulation of a large fortune.[12]

CHAPTER XI

NOTES

[1] Refs. (a) *KA* viii 1 (discussion of relative seriousness of calamities of pairs of *prakṛitis*) ; (b) Pāṇ. iv 38 (*ākrandika* explained as messenger sent to *ākranda* or distant ally; see Agrawala's interpretation, correcting the explanation in Kāśikā on above in his work *India as known to Pāṇini*, p. 411) ; (c) *KA* vi 2 ('natural ally' means one who is next to the king's neighbour and is related through his parents : 'acquired ally' is one seeking the aggressor's protection for the security of his life and possessions : 'natural enemy' is one who is the king's immediate neighbour and a sharer in the king's inheritance as belonging to the same family : 'acquired enemy' is one who is himself antagonistic or incites others with antagonism). The above account of the *Arthaśāstra* category of the seven *prakṛitis* and of the concept of *maṇḍala* is abridged from *IPI* pp. 84–5, 93–4, 119–20. For a diagram of the *maṇḍala*, see Kane, *H of D*, Vol. iii, p. 222 n.

[2] For a fuller account of the *Arthaśāstra* category of six *guṇas* see *IPI* pp. 94–5, 139ff.

[3] Thus treaties (*sandhi*) are divided by Kauṭilya (vii 3, ibid. 9–12) under several broad heads, namely (a) treaties of subsidiary alliance, (b) treaties for undertaking joint operations with or without specification of the factors of time and place and the nature of the undertaking, (c) treaties for joint acquisition of an ally or cash or territory,

(d) treaties for joint colonization of waste lands, (e) treaties for the construction of public works. The first type of treaty is divided into three categories, namely, those involving offer of the army, the treasury and the territory respectively. The first category has three divisions, namely, that involving the condition that 'the king himself with a fixed number of troops should present himself when called', that involving the condition that 'the commander-in-chief or the Crown Prince should present himself with the army', and that 'requiring someone on the king's behalf or the king himself to march with the army to such place as is asked for by the invader'. The second and the third categories consist of four divisions each, but it is unnecessary to quote them here. Similar but less complete classifications of the other types of foreign policy, such as neutrality, attack and war are given by Kauṭilya (VII 4, ibid. 7–8). For a complete exposition of the whole subject see Kane, *H of D*, Vol. III, pp. 223ff. The translations of the technical terms are quoted as a rule from the last-named work.

[4] For a fuller account of the *Arthaśāstra* canons of foreign policy see *IPI* pp. 95ff, 138ff.

[5] For a fuller treatment of this subject see *IPI* pp. 96–8, 141–4, 145–6.

[6] We give below two typical stories of the above categories : (a) *Jāt.* No. 355 (a good king surrendering his kingdom to an invader without a fight is thrown into prison by the latter : in the end the invader is moved to restore the king to his throne on witnessing his absolute freedom from grief); (b) *Jāt.* No. 353, pp. 159–60 (a king accepting his *purohita's* plan to make him an *ekarāja* or sole monarch achieves sovereignty over all *Jambudīpa* and imprisons 1000 other kings : at the same *purohita's* advice he murders all his prisoners treacherously and offers their flesh and blood to the guardian deity of a tree so that he may conquer Takkasilā ; he is punished for his monstrous act by a *yakkha*).

[7] For Vedic ref. to the employment of *dūtas* for espionage on the foreign enemy, see Ch. III s.v. *Officials of the late Vedic period.*

[8] For *Jātaka* refs. to immunities and privileges of *dūtas*, cf. No. 260, p. 319 ; No. 547, p. 528.

[9] Cf. *Jāt.* No. 539, pp. 30–1.

[10] Contrast with the above the agencies for mutual arbitration of States and in general for inter-State arbitration in classical Greece and Rome (Tod, *International arbitration among the Greeks*, Chaps. II–VII). In ancient Greece as well as Rome war was not held to be the normal and necessary relation of nations (Phillipson, *International Law and Custom of Ancient Greece and Rome*, Vol. II, pp. 166ff).

[11] Among the ancient Greeks by way of contrast some dozen terms were in use for different kinds of treaties, while the variety of envoys among the ancient Romans was somewhat less (on this see Phillipson, op. cit., Vol. I, pp. 304ff).

[12] Refs. (a) Curtius ; Diodorus and Plutarch (Numerical strength of army of Agrammes) ; (b) Kāśikā on Pāṇini, II 4.21 (standard of weight introduced by a Nanda king), (c) Hāthigumpha inscription of Khāravela, *EI* Vol. XX, pp. 72ff (canal excavated by Nandas) ; (d) Turnour's preface, p. xxxix to his translation of *Mahāvaṁsa* (taxes imposed by Nandas). Figures for the treasure accumulated by the Nandas are found in such works as *Mudrārākshasa* (Act III, verse 27), *Hiuen Tsang's Travels* (in Thomas Watters' tr., Vol. II, pp. 97–8) and *Kathāsaritsāgara* (Book I, Chap. IV in Nirṇayasāgara edition). On the Kauṭilyan policy of requiring the king to leave a sufficient margin for deposit in his treasury after meeting the cost of the administration, cf. *KA* V 3.

CHAPTER XII

KINGDOMS AND REPUBLICS OF THE INDUS VALLEY

We have brought to a close our study of the States and administrations of the Gaṅgā basin and the Malwa table-land falling within the ancient geographical zones called Madhyadeśa and Dakshiṇāpatha during the centuries preceding the rise of the Maurya dynasty. It is now necessary to turn to the condition of the States and administrations of the Indus valley constituting the region of Uttarāpatha during the same period. The political history of Uttarāpatha in the pre-Maurya Age falls into four successive periods: firstly, the period of continuation of the late Vedic monarchies; secondly, the period of Persian rule; thirdly, the period of independent States; and fourthly, the period of Macedonian rule.

A. PERIOD OF CONTINUANCE OF VEDIC MONARCHIES

The sources of information for this period are limited to a few stray references in the early Buddhist literature and in the late Brāhmaṇa historical tradition (especially as preserved in the *Rāmāyaṇa* and the *Mahābhārata*). These sources mention three monarchic States dating from the late Vedic Age with the names of their kings and capitals as well as of their approximate geographical situation. The kingdoms are Gandhāra, Kamboja and Kekaya.[1] The first two States are included in the list of sixteen *mahājanapadas* or great political organizations, which is mentioned in a few Pali canonical texts (see Chapter I). The region of Uttarāpatha appears at this period to have been a great centre of Brahmanical culture. For it included Śalātura (the reputed birth-place of the great grammarian Pāṇini) as well as the famous university town of Takshaśilā. We may infer from the above that the States of the north-western region were ruled at this period by kings after the orthodox Brahmanical pattern.

B. PERIOD OF PERSIAN RULE

The sources of information for this period consist of some authentic references in the historical inscriptions of the two great Emperors of the Achaemenid dynasty, namely Cyrus and Darius, as well as the reliable statements of classical writers beginning with Herodotus.[2] But it forms only an episode in the history of our country, and in any case lies outside the scope of the present work. Nevertheless we may notice a few interesting points about the administration of the country conquered by the foreigners.

In the first place 'Gandhāra', along with 'India' (if we are to borrow the connotation of these terms by the conquerors after the account of Herodotus) was brought into line with the Persian system of provincial administration under the rule of *satraps* (properly, *kshatrapāvan*). 'India' particularly, being the twentieth and the most populous satrapy of the Persian Empire, paid an enormous tribute of 300 talents of gold-dust every year into the imperial treasury. Further, Indian contingents were recruited by Darius and Xerxes for their wars with distant Hellas. From the above it appears that the conquered country was made liable to the two-fold burden of an annual tribute and a periodical levy of troops for the imperial service.

Secondly, the Persian civil and military administration left its legacy upon the Indian soil down to the early centuries of the Christian era. We know that Aśoka, the greatest of the Imperial Mauryas, imitated the Persian style of address and even to some extent the Persian administrative vocabulary in the most famous group of his inscriptions, namely, his fourteen rock-edicts. Two recensions of these edicts, belonging to the region of Uttarāpatha, are written in the current Kharoshṭhī script, which is derived from Aramaic, the lingua franca of the Persian Empire. The Aramaic language and script along with the Greek are used in the newly discovered inscription of the Emperor at old Kandahar. Finally, it was left to the Indo-Parthian and the Indo-Scythian rulers of the centuries immediately before and after Christ to continue the use of the Kharoshṭhī script and the Persian title of *satrap* (in its Sanskritized form of *kshatrapa*) in their inscriptions.

C. PERIOD OF INDEPENDENT STATES

For this period our sources of information are most authentic, as being derived from the first-hand reports of Alexander's Companions at its close. These reports, which have been preserved in part in the works of later writers, are of high value as emanating from writers accustomed to subtle distinctions between types of States and administrations in their home-land. But unfortunately they are in their present condition of a somewhat fragmentary character.

The indigenous States of this period fall into two categories, namely, monarchic and republican, these last being called by the classical writers 'autonomous tribes'. We may describe their administration in the light of the available data under two broad heads, namely, 'Structure of government', and 'Some tendencies and characteristics of the State administration'.

1. *Structure of government of monarchies and republics*

Firstly, as regards the monarchical States, the monarchies described by the classical (Greek) writers belong to two types which may be called the normal type and the abnormal or mixed type. The normal type of monarchies may be traced alike in the region north of the Kabul river, in Gandhāra in the Punjab proper, and in Sind. The solitary example of the abnormal or the mixed type is the State of 'Patalene', in the Indus delta, with its capital of the same name. Its constitution is stated (Diodorus XVII 104) as resembling that of Sparta. Two hereditary kings belonging to two different houses, we

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are told, held the supreme command in war, while the supreme power belonged to the council of elders (meaning probably a body of hereditary nobles like the Spartan Gerusia). The conclusions which may be drawn from the scattered data of the classical authors appear to be the following. The kings ruled by hereditary succession : they were not only the heads of the military administration, but personally commanded their troops in the battle-field : their kingdoms were divided into a number of administrative units in charge of appropriate officers : the cities were probably ruled by officials separate from those in charge of the rural administration.[3]

Secondly, as regards republics, the classical writers seem to distinguish between two types, namely, the normal type of aristocracies and the abnormal type of democracy. Their descriptions may be summarized as follows :

(*a*) The free city of 'Nysa' is described as an aristocracy ruled by a President and a governing body of 300 men. Its people appear to have belonged to a non-Indian stock ;

(*b*) An unnamed people living to the east of the 'Hyphasis' river had an aristocratic government consisting of 500 councillors, each of whom contributed an elephant to the State. These have been identified with the Yaudheyas mentioned by Pāṇini as a *saṁgha* living by the profession of arms.

(*c*) and (*d*) The 'Oxydrakai' and the 'Malloi' are both described as autonomous tribes. They have been identified respectively with the Kshudrakas and the Mālavas, who are quoted in the Pāṇinian grammatical tradition as examples of republics, unlike territories ruled by single kings. Previously at feud with each other they cemented their alliance in the crisis of Alexander's invasion by wholesale intermarriages. After the defeat of the 'Oxydrakai' 'one hundred ambassadors from the two nations' were sent with the offer of surrender to the conqueror. According to another account 'the leading men of the cities and the provincial governors besides one hundred and fifty of the leading men' came from the 'Oxydrakai' with full powers for concluding a treaty.

(*e*) The 'Abastanoi' (who have been identified with the Ambashṭhas in Indian historical tradition) are expressly described as a democracy. At the time of Alexander's attack they at first elected three generals for defence. After hearing the counsels of their elders they decided not to fight, but sent instead fifty of 'their most eminent citizens' to negotiate for their surrender.

(*f–m*) The 'Adristai', the 'Kathaioi', the 'Glauganikai', the 'Agalassoi', the 'Xathroi', the 'Ossadioi', the 'Sodrai' and the 'Massanoi' were other autonomous tribes of whom we have very little information.

The conclusions which may be drawn from the above data appear to be the following :

Firstly, all republics of the Indus valley were aristocracies with the single exception of the Ambashṭhas who had a democratic constitution.

Secondly, the supreme authority in the State belonged as in the case of republics of the interior (see Chapter x), to the Assembly. In particular, the

Assembly had the right of making peace and war and negotiating with foreign powers. The Ambashṭha democracy could even elect generals in the crisis created by a formidable foreign attack. The Assembly, to judge by the analogy of its prototype in the Gaṅgā basin, was confined as a rule to qualified citizens of the ruling clan (or clans), that of the Ambashṭhas probably consisting by way of exception of the majority of qualified free citizens. The composition of the unnamed people to the east of the 'Hyphasis' was further limited by a strange property qualification in the shape of supplying an elephant to the State.

Thirdly, besides the Assembly the republics had a supreme magistrate who is called a President in the case of the free city of 'Nysa'. We have also a faint allusion to a council of advisers in the case of the Ambashṭhas. Both these institutions furnish an obvious parallel to those of the republics of the Gaṅgā basin described elsewhere (see Chapter x).

Fourthly, to judge from the composition of the negotiating body among the Ambashṭhas, there were separate officials in charge of the rural and the urban administration. It would further appear from the same evidence that non-officials were associated with the government of the cities, and that they share with the officials in shaping foreign policy.

Fifthly and lastly, the formation of republican leagues would seem to be necessitated by the constant pressure from neighbouring States. But the only instance of this kind cited by the classical writers (namely, that of the 'Oxydrakai' and the 'Malloi') proves the league to be in an incipient stage. The Indian testimony to the formation of the Kshudraka and Mālava league belongs mostly to post-Mauryan times.[4]

2. *Some tendencies and characteristics of the State administration*

The scattered notices of the Greek classical writers enable us to form some idea of the civil and military administration of the States of the Indus valley at this period. The great value of this information lies in the fact that it emanates from highly competent observers with unique opportunities of obtaining first-hand knowledge of their subject. The conclusions which may be drawn from the available data are as follows :

Firstly, the States created a civil administration marked by equity and justice. This is pointedly illustrated by the example of a few monarchies as well as of republics noted below.[5]

Secondly, the States laid the greatest stress on the development of their military strength. The statistical figures given by the classical writers testify to the enormous numbers of their troops which were divided into four wings in the traditional Indian fashion. Making due allowance for the exaggeration natural under the circumstances, we can guess that both the monarchies and the republics strained their military resources to the utmost. In the case of the republican communities such as the Kshudrakas and the Mālavas this was possible because they are known from indigenous sources to have been living by the profession of arms. We have a striking hint of the intensive

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drive of the monarchies for recruiting troops in the alleged confession of the 'Taxilan' king 'Omphis' to Alexander that he required more soldiers than field-labourers. The large size of the armies must have involved the development of military organization in all its branches such as the organization of the army command, the production of armaments and the provision of army remounts and transports. But of this we have no information. The strength of the Indian military machine is proved by the stubborn resistance offered to Alexander by many of the monarchies as well as by republics, especially by 'King Porus' and the Kshudrakas.[6]

Thirdly, the States appear to have started new experiments in the branches of public administration, as well as of law and justice — for which no parallels can be discovered in any other source of this period. To take a few examples, under the rule of 'King Sophytes' as well as of the republican 'Kathaioi', the State authority controlled the upbringing of children with a rigour strikingly reminiscent of the regulations of the Spartan law-giver Lycurgus. With this may be connected the popular estimate of physical beauty of the human figure in the former kingdom influencing even the prevailing marriage laws. Again, among the peculiar customs of the kingdom of 'Mousikanos' it is mentioned that they had no slaves. This would mark within the narrow geographical limits a revolutionary change in the State law prevalent elsewhere. For slavery, as we have seen, is a recognized institution in the laws alike of the *Dharmasūtras* and the *Arthaśāstra*. Another peculiar custom of the kingdom of 'Mousikanos' is stated to be that they entertained no actions at law except for murder and outrage with the object of discouraging litigation. This would signify a deliberate tendency towards simplification of the judicial processes contemplated in the *Dharmasūtra* and the *Arthaśāstra* law-codes.[7]

Downfall of States of the Indus valley

In analysing the causes of the destruction of independence of the States of the Indus valley, we may begin by stating that this was not due to their military weakness. The military strength of these States is proved, as we have seen, by the statistical figures given by the classical writers. These writers testify in particular to the exceptional military qualities of the 'Kathaioi'. The high spirit of the rulers or ruling classes of many of the Indian States is proved not only by their stubborn, though unavailing, resistance against the invader, but also by the brave words uttered by them at the time of making their submission.[8] The army of 'King Porus' had the added advantage of unity of command with the ruler leading his army in person, while the ruling classes of the 'Kathaioi' and the Kshudrakas formed a body of professional fighters. In the lower Indus valley the resistance was led by the Brāhmaṇas, who instigated a revolt against the invader by encouraging the patriots and shaming the traitors.[9] On the other hand, the political weakness of the Indus valley States lay in the fact of their constant mutual strife, which prevented a combined resistance against the invader and even led some of them to join his side.[10] The greatest single cause of the downfall of the republics was the devastating invasion of Alexander, which ended in their complete subjection.

D. PERIOD OF MACEDONIAN RULE

This last period in the history of the States of the Indus valley was particularly short-lived. Alexander's plan of permanent annexation of the conquered Indian territory to his Empire was foiled by his premature death, which was followed by wars of succession among his principal generals. This gave the opportunity to Chandragupta Maurya to rouse a general revolt in the Indus valley against the foreign yoke and eventually annex it to his Empire. On the alleged influence of Alexander's invasion upon the administration of the founder of the Mauryan Empire we shall have occasion to speak in the second part of this volume.

CHAPTER XII

NOTES

[1] For details of the political history of the above States, see *PHAI* 5th ed., pp. 59ff 146ff.

[2] The details are given in *PHAI* pp. 239ff.

[3] *List of monarchies of the normal type*: (a) territories of the 'Aspasians' and the 'Assakenians' to north of the Kabul river ; (b), (c) kingdoms of 'Astes' and 'Taxiles' in west and east Gandhāra ; (e), (f), (g), (h) kingdoms of 'the elder Porus', of 'the younger Porus', of 'Sophytes', of 'Phagelas' and 'Arsakes' in the Punjab proper ; (i), (j) and (k) kingdoms of 'Mousikanos', of 'Oxykanos' and of 'Sambos' in the lower Indus valley. *Instances of King's rule by hereditary succession* ('Taxiles' succeeded by his son 'Omphis') ; *of the king's personal command of his troops* (king of 'Taxila' with his troops accompanying Alexander in his campaign against 'Porus' ; 'Porus' commanding his troops at the battle of the 'Hydaspes') ; *of administrative divisions* ('Spartacus', nephew of 'Porus', described as a *nomarch* of the Indians of that region ; 'Sophytes' styled a *nomarch* by Strabo, although described by Arrian as a king).

[4] *Later refs. to political organization of Kshudrakas and Mālavas*: (a) Kātyāyana on Pāṇ. IV 1.168 (Kshudrakas quoted as an example of *saṁghas*) ; (b) Patañjali on Pāṇ. IV 2.45 (compounds *Kshudraka-Mālavaka* and *Kshudraka-Mālava* meaning respectively political and military union of the two communities) ; (c) *Mbh.* II 52.15 (Kshudrakas and Mālavas described as sending joint embassies and forming joint armies).

[5] Diodorus XVII 91 (cities subject to 'King Sophytes' 'governed by laws in the highest degree salutary' and 'their political system was one to admire') ; Curtius IX 1 (nation of 'King Sophytes' lived under 'good laws and customs') ; Arrian V 25 (unnamed aristocracy ruling territory east of 'the Hyphasis' ruled 'with justice and moderation') ; Strabo, *Geography*, XV 30 (good laws and good government of the kingdom of 'Mousikanos' and complete absence of slavery in the kingdom) ; Arrian, *Invasion of Alexander*, VI 15 (kingdom of 'Mousikanos' the most opulent in India, and even Alexander expressed much admiration for his capital and his realm).

[6] *Statistics of armies of kingdoms and republics*: (a) army of 'King Arsakes' (20,000 cavalry, more than 30,000 infantry and 30 elephants) ; (b) army of 'elder Porus' at the battle of 'Hydaspes' (about 3,000 cavalry, more than 50,000 infantry, about 1,000

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chariots and 130 elephants); (c) army of the 'Agalassoi' (3,000 cavalry and 40,000 infantry); (d) army of the Mālavas and allied tribes (10,000 cavalry, 90,000 infantry and 300 elephants); (e) army of the 'Abastanoi' (6,000 cavalry, 60,000 infantry and 500 chariots). In the above list, it will be observed, the proportions of the infantry to the cavalry are as 3 : 2, 25 : 2, 40 : 3, 9 : 1 and 30 : 2 respectively.

[7] *Eugenic ideas in the kingdom of 'Sophytes'*: (a) Diodorus XVII 91 ('beauty among them was held in the highest estimation — they marry in accordance with the same principle. For in selecting a bride they care nothing whether she has a dowry, but look only to her beauty and other advantages of the outward person'); (b) Curtius IX 1 (similar to the above). *State regulation of child-rearing*: (a) Diodorus XVII 91 on the kingdom of 'Sophytes' ('if children are born to them, those that are perfect in health and features and have constitutions which bear promise of a combination of strength and beauty are allowed to be reared, while those that have any bodily defect are condemned to be destroyed as not worth rearing'); (b) Curtius IX 1, as above ('they rear children not according to the will of the parents, but as officers entrusted with medical inspection of the infants may decide, any child with defective or deformed limbs being ordered by them to be destroyed'); (c) Strabo, *Geography*, VII 53 (peculiar law of 'Kathaioi' that when a child is two months old, it is judged by the appointed magistrates whether it is worthy to live or not, and when so judged, it is allowed to live or put to death). *Absence of slavery*: Strabo, op. cit., XV 34 (employment of young men in the flower of their age in place of slaves enumerated among peculiar customs of the kingdom of 'Mousikanos'). *Simplicity of laws*: Strabo, op. cit., loc. cit. (peculiar custom in the kingdom of 'Mousikanos' to have no actions at law but for murder and outrage, 'for to escape these evils does not lie in one's own power but it is otherwise in the case of contracts, where each one can protect his own interest').

[8] On the military qualities of the 'Kathaioi' see Arrian, op. cit., V 22. For the high spirit of the rulers, we may quote Porus' address to Alexander after his defeat and capture to the effect that he should be treated like a king. We may also quote the bold words of the ambassadors of the Kshudrakas and Mālavas at the time of their surrender to Alexander, after the Greek writers: (a) Curtius IX 7 ('he was the first for whose authority and protection they had entrusted their liberty which for so many ages they had preserved inviolate'); (b) Arrian, op. cit., VI 14 ('they were attached more than others to freedom and autonomy and had preserved their freedom intact from the time Dionysos came to India until Alexander's arrival').

[9] On the share of the Brāhmaṇas in organizing resistance against Alexander cf. the following: (a) Plutarch, Chap. 59 (Brāhmaṇas reviled princes who declared for Alexander and encouraged the free States to revolt from his authority for which reason they were hanged by Alexander); (b) Arrian, op. cit., VI 16–17 (Brāhmaṇas instigated revolt of a city in the lower Indus valley and encouraged revolt of 'King Mousikanos' and were therefore put to death by Alexander).

[10] On mutual strife among Indian States, cf. Arrian, op. cit., V 22 (mentioning repulse of joint attack of 'Porus' and 'Abisares' and many independent Indians by the 'Oxydrakai' and 'the Malloi' on the eve of Alexander's invasion). There is also the well known example of the hereditary feud between the kings of 'Taxila' and king 'Porus' leading the former to ally themselves with Alexander against the latter.

CHAPTER XIII

SUMMARY AND CONCLUSION

INTRODUCTORY

We have now brought to a close our survey (as complete as the available sources will allow) of States and administrations that arose in our land during the period covered by this section. The area included within our survey extends over the whole of the Indo-Gangetic basin and considerable portions of the Malwa table-land and Eastern India that were comprised at that time within the zone of Indian civilization. The period of our survey stretches over a little more than three centuries and a half (*c.* 700–324 B.C.) filling the gap between the Vedic period and the rise of the Maurya Empire. And yet the variations of the State-types that were developed on our soil within this compass of space and time appear, apart from a few aberrations, to have been remarkably few. We have, firstly, the normal type of monarchies under rulers of the Kshatriya caste, and, secondly, the equally normal type of republics governed by assemblies of Kshatriya clans. Of these, monarchy was recognized as the standard type of the State in the most important source-books of our period, namely, the *Dharmasūtras* and the *Arthaśāstra* of Kauṭilya.

One distinctive feature of our sources is that our information about the political and economic organization of the historical States is limited practically to a single geographical area at a particular period. This is the case with the States of the Indus basin immediately on the eve of Alexander's invasion. The result is that the treatment of Indian political institutions during our period on a structural basis is not only possible but unavoidable. This is the task which we have undertaken in the preceding chapters. It remains to sum up the results in the concluding chapter of the present section.

The types of State organization described in the chapters on law and polity of the *Dharmasūtras* and in the *Arthaśāstra* of Kauṭilya may be broadly distinguished in the following way. The fundamental objective of the *Dharmasūtra* State and society is the stabilization of the social and the political order after the standards of the canonical authors. To explain this point we may observe that the *Dharmasūtra* rules of State administration are laid down in the context of duties and occupations of the king who is regarded as an essential element of the social structure. These duties and occupations again are given in the context of the social and religious law governing all classes and sections of the community. On the other hand, the *Arthaśāstra* polity has for its primary objective the security and progress of the State requiring the political and economic

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organization of the State territory as its necessary adjunct. We may express the contrast by stating that the State in the *Dharmasūtras* is essentially static, while that of the *Arthaśāstra* is fundamentally dynamic.

STRUCTURE OF THE MONARCHIC STATE — I. THE CENTRAL GOVERNMENT

The late Vedic Age left the legacy of a territorial State ruled by the king and his officials. Its chief characteristics may be thus summarized: (a) a sharp separation between the spiritual and the temporal powers, but no clear definition of the king's ruling functions, (b) the ruler's qualification of birth in the Kshatriya caste, (c) the high political and economic significance of the ceremonies of royal consecration, (d) officials with distinct designations but ill-defined functions, who are hardly distinguishable from those of the royal household.

We may notice some important developments of the monarchic State structure as summarized above during the pre-Maurya Age. We begin with the structure of the central government. *Firstly, as regards kingship* — We find that the separation between the ruling and the ecclesiastical powers was continued during this period. The duties and occupations of the king representing the former are distinguished from those of the Brāhmaṇas who are representatives of the latter. Again, the king is generally held to be the head of the executive, the judicial and the military branches of the State administration. Explaining the first and second of these functions we may state that the King's Peace and the King's Justice are generally recognized as prevailing throughout the kingdom. Furthermore, the king personally sits in court for the disposal of civil as well as criminal cases. In the next place the old qualification of Kshatriya birth is generally required for kings. The contrary instances even in the realistic stories of the *Jātakas* are clearly exceptional. To turn to another point, consecration is universally held to be an essential preliminary of kingship. But the tendency towards popularization (if not secularization) of the ceremony is illustrated by repeated instances in the *Jātaka* stories. These stories mention in place of the elaborate sacrificial sessions of the late Vedic Age, the simple ceremony of placing the heir to the throne on a fig-wood seat by the king or the ministers and sprinkling his head with sacred water poured from conches. A more important point is the new provision for the education of the prince in all our sources. This takes the form of a scholastic training shared by the prince with other young Vedic students of the first three classes (*Dharmasūtras*), or of a general academic training prescribed for the benefit of cadets of cultured classes (*Jātakas*), or lastly of a highly specialized training for equipping the prince for his office (*Arthaśāstra*). The present period, again, contains the first Indian literary references to primitive kingship, the king being regarded in a few *Jātaka* stories as a rain-maker. On the other hand, there is not the slightest trace of divinity or of divine descent of the king even in the Brāhmaṇa canonist's descriptions of the authority of the temporal ruler.

The grouping of kings in a class of miscellaneous divinities of the elastic Buddhist pantheon in a few early Buddhist texts has practically no significance.

Secondly, as regards officials — The most important development to be noticed under this head is the rise of a civil and military service that is described in all our sources. This is called by generic designations (*amātyas*, *mahāmātras* and *mahāmattas*) which distinguish it as a separate class (though not caste) in the social hierarchy. The officials have distinct designations and more or less well-defined functions. The early Buddhist texts introduce us to a new system of official nomenclature with prefixes added to the generic designation. The climax is reached in the *Arthaśāstra* system which describes for the first time a bureaucracy in the true sense of the term. This is indeed one of the supreme manifestations of the creative spirit of the Indians in the pre-Maurya Age in the field of practical administration.

The description of the bureaucracy in the works of the *Arthaśāstra* authors may be thus summarized. *Firstly*, rules are laid down for the recruitment of the officials and their selection for specialized posts. The largest number of civil and military officials is enrolled in the king's Civil List, which divides them into successive grades with cash salaries fixed for each grade. Pensions and gratuities are provided, in a truly modernistic spirit, for some classes of the king's officials and their families. *Secondly*, technical qualifications are required for the officers in general. To these are added special qualifications for the higher officials as well as for the *adhyakshas* or heads of offices who form the pivot of the administration. The offices have a complete equipment of human labour and appliances. The rules for the working of the offices (or the office manuals, as they may be called), are remarkable for their lucidity and thoroughness. *Thirdly*, a strict control is maintained over the officials at all levels. All the top-ranking officials are subject to intensive invigilation by spies. The *adhyakshas* are supervised and controlled by super-*adhyakshas*. *Fourthly*, there is a clear separation at the high levels not only between the civil and the military command, but also between the executive and the judicial branches of the administration. This separation, it may be added, is imperfect in both respects in the realistic stories of the *Jātakas*. *Fifthly*, Kauṭilya introduces us to a number of administrative innovations. Thus he speaks of royal writs which are divided into different categories according to their subject-matter and of a class of scribes with special qualifications for recording the same in proper style. Again, he mentions the use of official seals not only by the king, but also by the Warden of the Marches (*antapāla*) and the passport officer (*mudrādhyaksha*) for various administrative purposes. Further, he refers to the preparation of various State records and registers. A Grand Register of State records and accounts which is required to be prepared by the officer-in-charge contains details about all the State offices, workshops and factories, inventories of State treasuries and store-houses, record of customs of various groups, and items of miscellaneous income and expenditure of the royal family. The chief revenue officer has to prepare a

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register of all villages in the kingdom with the list of their contributions in kind and in cash to the royal exchequer, or in the alternative, exemptions from the contributions. The rural officers are entrusted with the preparation of an exhaustive register of each village as well as the census of its tenements and resident families. A similar census has to be prepared by the officer-in-charge of the urban administration.

We may mention in this connexion a new development of the pre-Maurya polity involving the king's consultation of ministers (*mantrīs*) on State affairs, which is based in the *Arthaśāstra* system on the first conscious appreciation of the value of counsel (*mantra*) in State administration. In Kauṭilya's work the *mantrīs* are entrusted with administrative, and deliberative as well as with ceremonial functions. By the side of the select body of ministers there exists a larger council of ministers (*mantri-parishad*), which is entrusted with similar deliberative functions. Similar institutions are known to our other sources.

The king's household administration is developed in Kauṭilya's work with almost the same thoroughness as the central government. Thus separate quarters are assigned inside the palace for the king and the members of his family : the king is served by a host of attendants among whom the most remarkable is the courtesan (*gaṇikā*) who is selected for her post by a special officer and is bound by a contract to serve her master till relieved of her duty by payment of a heavy ransom : an elaborate ceremony of reception is arranged for the king everyday at day-break. In the second place, elaborate precautions are taken for protecting the king from assassination in all circumstances. Thirdly and lastly, a complete medical unit is created inside the palace for the treatment of the king as well as the women of his establishment.

STRUCTURE OF THE MONARCHIC STATE—
II. LOCAL GOVERNMENT

The development of local government during our period went hand in hand with that of the central government. The *Dharmasūtras* and the *Arthaśāstra* acquaint us with divisions of the kingdom under two heads, namely, the rural and the urban areas. Officers (or a chain of officers) are placed in charge of each area. The rural officers are entrusted with the maintenance of law and order and (in the mature *Arthaśāstra* polity) with the preparation of cadastral registers and census lists and the administration of the rural treasuries. Special officers are appointed for the administration of justice in the rural areas. The urban officers are entrusted with the maintenance of law and order, the enforcement of building and sanitary regulations and of measures for fire insurance, and the compilation of exhaustive census lists of the citizens. Separate officers are stationed in metropolitan as well as in other towns for collection of the customs duties, for management of the State treasuries, for the administration of justice, for the management of jails and so forth. In the above account the building and sanitary regulations and the census lists of citizens may be singled out without exaggeration as marking an epoch not only in the history of Ancient India, but also of the ancient world.

We propose to give here some account of the condition of village administration during our period. In Kauṭilya's work the village headman is entrusted with police duties as well as with magisterial powers. The former obligation is strictly enforced by requiring him to restore the value of the goods deposited by merchants in his custody in the event of their being stolen at night in the area within his jurisdiction. Abuse of the latter privilege was sought to be prevented by punitive measures of the State administration and clauses of the State law. The body of villagers shared with the headman in the exercise of his magisterial powers and in the penalty for their abuse. The villagers are so regularly liable to the burden of compulsory labour (*vishṭi*) that it forms one of the items of the king's income in the Grand Register of villages aforesaid. In the *Dharmasūtras*, village administration is so completely officialized that the village chief who is charged with maintaining law and order is appointed by the Crown. The first clear testimony to the working of village self-government is found in the *Jātaka* stories. There we find that the villagers used to assemble for disposal of local affairs even in outlying areas. In one story we are told how a public-spirited individual effected by his own example and initiative a progressive material improvement of his village, but was at last brought to the brink of ruin with his co-villagers by the intrigues of a local magnate. This is a sharp reminder of the weak foundations of the whole structure of village self-government at that time due, beyond doubt, to the absence of a well-established tradition of autonomy in the local administration.

RITUALISTIC AND RATIONALISTIC ASPECTS OF POLICIES OF THE MONARCHIC STATE

We may notice in the present place some complex trends of State policy in our sources. Inheriting the old Vedic tradition the authors of the *Dharmasūtras* and the *Arthaśāstra* applied ritualism for various purposes of State administration. These related not only to performance of the old ceremonies of royal consecration, but also to the prevention of providential calamities, to the growth of crops in the State farms, to success in battle, and so forth. In the *Jātaka* stories inspection of the bodily marks is a regular feature of the selection of a new king in the event of complete failure of heirs in the royal family. Kauṭilya, sharing in the popular beliefs and superstitions of his time, provides for the offices of the court astrologer and the interpreter of omens and portents in his enumeration of the king's Civil List (v 3). Likewise he indulges in unscrupulous exploitation of popular superstitions for such varied purposes as the recruitment of spies, raising funds during a king's financial crisis, and discomfiture of the enemy at the time of battle. The tendency towards a complete rationalization of the State policy is reflected in the *Arthaśāstra* category of four diplomatic expedients (*upāyas*) which are technically called conciliation, bribery, creating dissension, and applying force. In its extreme form the application of force involves recourse to the cult of the poison and the dagger against enemies of the State.

AIMS AND ACHIEVEMENTS OF THE MONARCHIC STATE

We are left almost completely in the dark about the aims and purposes of the State in the Vedic Age. We have only casual references to its aims of providing security and welfare for its subjects. A great development may be traced during the present Age on the above subject. The two fundamental aims of the monarchic State in the *Dharmasūtras* appear to be firstly, public security and welfare, and secondly, maintenance of the scheme of social and political order based on the exceptional privileges of the Brāhmaṇas as well as of the extreme disabilities of the Śūdras and despised castes. The basic aims of monarchic polity in the *Arthaśāstra* seem to be firstly, public security and welfare ; secondly, security and welfare of the State ; thirdly, economic organization in specific directions ; and fourthly, maintenance of the Brahmanical social order. We propose to consider here the first, second and the fourth of these aspects leaving the third aspect for treatment under a separate heading.

A. MONARCHY AS A WELFARE-STATE

It will be convenient to summarize the account of our two principal sources (the *Dharmasūtras* and the *Arthaśāstra*) under two heads. These relate to (1) measures for ensuring public security and (2) those for ensuring public welfare.

1. *Measures for ensuring public security*

In the first place, alike in the *Dharmasūtras* and the *Arthaśāstra* the rulers are charged, apart from their general obligation of protection of all creatures, with the strict obligation of protecting the property of their subjects. The king (and in the fuller accounts both the king and his officials) are legally liable to restore stolen property to its owner and in default to compensate him for his loss.

In the second place, Kauṭilya enumerates a list of measures for protection of the public against human as well as against providential calamities (or as it is technically called, 'for weeding out the thorns of the rural and the urban areas'). The protection of the public is sought to be ensured by arming the higher executive officers with special powers for the invigilation or punishment of corrupt or incompetent subordinates, by adding a special body of penal regulations for dealing with public enemies, and by imposing a strict official control over various trades and professions in the public interest.

2. *Measures for ensuring public welfare*

Firstly, the *Dharmasūtras* enumerate certain categories of persons who are to be exempted from taxation because of disabilities imposed by sex, age, occupation, disease or bodily infirmity. This is accompanied by another enumeration of persons who are entitled to State relief. There are, besides, two remarkable *Dharmasūtra* texts which require the king to provide food, shelter and clothing as well as medical treatment for the public at his capital. Secondly, Kauṭilya enumerates appropriate remedies to be applied by the ruler for protection or relief of the people against providential calamities. These calamities are classified under the heads famine, flood and fire, pestilence, 'the plague of rats, wild animals and snakes', and (curiously enough) 'the visitations of demons'. Thirdly, Kauṭilya requires the ruler to adopt both preventive and curative measures for the promotion of public health. These measures include a ban on the sale of unwholesome food and drink as well as provision for medical treatment of the public at State expense. Fourthly, among miscellaneous measures stated by Kauṭilya for ensuring public welfare may be mentioned the following : (i) construction of roads and their maintenance by special laws and regulations ; (ii) construction of a fleet of cargo and passenger boats and their equipment by the appropriate State officer for public service ; (iii) State control of family life for the enforcement of reciprocal obligations of the members and for the prevention of its disintegration (rules similar to the above are found in the *Dharmasūtras*) ; (iv) State encouragement of co-operative sports among the country-folk. The benefit of these welfare measures is extended to the dumb animals by the creation of animal sanctuaries and by imposing restrictions on the slaughter and mutilation of animals.

The welfare measures noticed above are marked by a new humanitarian approach to politics, of which a further illustration is furnished by the enunciation of the principle of political righteousness in the contemporary Buddhist literature. (See on this subject *A History of Indian Political Ideas*, pp. 69–73.) Some of these measures like the State care for the infirm and the diseased and the medical treatment of patients during outbreaks of pestilence, have few, if any, parallels, in the history of the ancient world. Nevertheless it will not be correct to describe these measures as partaking of the nature of State socialism or to characterize the *Arthaśāstra* State as socialistic.

We may check up the above description of the welfare measures of the monarchic state by reference to other sources. The *Jātaka* stories corroborate the above account only in part. The overwhelming evidence of the stories, on the other hand, points to the insecurity of person and property of the subjects because of the absence of constitutional limitations on the authority of kings. Indeed, the insecurity of person goes so far in some of the stories that neither rank, nor piety nor virtue is sufficient for protection of innocent men and women from molestation at the king's hands. The insecurity of property is illustrated by the epigram placing the danger from kings at the head of a list of dangers to riches.

B. MONARCHY AS A TOTALITARIAN STATE

The fullest development of this aspect of the monarchic State during our period is presented in Kauṭilya's work. We may summarize his account on this point under two heads, (1) measures for ensuring the internal and external security of the State, and (2) those for promoting its internal consolidation and external progress.

1. *Measures for internal and external security of the State* (*and the king*)

The list of these measures in Kauṭilya's *Arthaśāstra* comprises *inter alia* the following :

(*a*) Special clauses of the penal law for the punishment of treason and the creation of disaffection against the king.

(*b*) Constant invigilation of princes and special precautions for ensuring the king's personal safety both inside and outside the capital city.

(*c*) Intensive invigilation of all top-ranking officials regarding their public as well as domestic life.

(*d*) Creation of a ring of spies both inside and outside the kingdom for guarding the king's subjects against the enemy's intrigues as well as for seducing the enemy's officials and subjects along with the utilization of spies for mass propaganda in the king's favour.

(*e*) Enlisting the services of envoys for pumping out the enemy's military and other secrets and for carrying on intrigues among his officials and subjects.

(*f*) Suppression of enemies of the State by fomenting quarrels within their family circles and by means of political murder in various ways.

The above may be supplemented by some data from other sources, such as the following :

(*a*) Clause of the penitential law in the *Dharmasūtras* for the expiation of treason.

(*b*) Reference in Pāṇinian grammatical tradition to the employment of secret-service men (evidently by the State), to the policy of fomenting dissension, of mass propaganda and even of secret murder of enemies of the State.

(*c*) Quasi-historical traditions preserved in early Buddhist literature about the application of the law of treason in the Magadha kingdom.

2. *Measures for promoting internal consolidation and external progress of the State*

Some typical examples of the above are quoted below from Kauṭilya's work :

(*a*) Multi-purpose development of the waste lands. Kauṭilya provides for planned settlement of the rural area for the development of agriculture, industry and trade, for military defence, for the promotion of learning as well as for religious study and sacrifices, and for meeting the requirements of the State administration. This goes hand in hand with planned development of the urban area so as to provide for the settlement of a miscellaneous population within the city limits, for its military defence, and for equipping it with the paraphernalia of a highly centralized administration.

(*b*) Acquisition of complete dominion by the king over the *saṁghas* or military and political associations as forming the king's most valuable asset. This is procured by a policy of conciliation and bribery when the *saṁghas* are friendly, and that of dissension and force when they are disaffected.

(*c*) Gearing of foreign policy to the end of raising the State from relative Decline to Stagnation and then to Progress with the objective of realizing the ultimate goal of universal dominion.

C. MONARCHY AS THE BRAHMANICAL PATTERN-STATE

The Vedic Age left to its successor the legacy of a social structure based on the Brāhmaṇa's pre-eminence over the other classes, and specially the depression of the status of the Śūdras and despised castes. These features are defined and expanded in the system of law and polity in the *Dharmasūtras* which accompany the immunities and privileges of the Brāhmaṇas with the disqualifications of the inferior castes as well as of heretics. From this resulted what may be called a Brāhmaṇa pattern-State with some admixture of sectarianism. The influence of this pattern of society and State is felt in Kauṭilya's *Arthaśāstra*. We may illustrate the above by a few examples :

(*a*) Special clauses of the law are laid down alike in the *Dharmasūtras* and the *Arthaśāstra* for the protection of person and property of the Brāhmaṇas. In particular, the Brāhmaṇas are exempted from capital punishment and from corporal punishment in general. Corresponding legal disqualifications are imposed upon Śūdras and despised castes.

(*b*) A mild social ban is imposed on heretics in the *Dharmasūtras*. With this may be compared the limited licence to plunder the property of heretics allowed to the king in his emergencies in the *Arthaśāstra*.

The Brāhmaṇa pattern-State as thus conceived is subject to the following limitations :

(*a*) The Brāhmaṇas are equally subject with the other classes to the jurisdiction of the State courts, there being no separate tribunals for the trial of Brāhmaṇa offenders against the civil and the criminal law. What is more, Brāhmaṇas who are guilty of lapse from the strict rule of life are degraded in the *Dharmasūtras* to the level of Śūdras.

(*b*) The old Vedic tradition of a homogeneous Aryan community left its stamp upon some aspects of law and administration in our two most important sources. We are told in the *Dharmasūtras* that the approval of *Āryas* is in the last resort the criterion of the law of the social order. According to Kauṭilya the *Ārya* has an inherent right to personal freedom so that it is illegal for an *Ārya* minor to be reduced to slavery, and it is compulsory for an *Ārya* slave to be redeemed by his kinsmen.

The new religious movements of our period led in some quarters to a strong reaction against the Brāhmaṇical pattern of society and the State. In the early Buddhist literature we come across new theories of the evolution of the world, and of man and his institutions, which justify the precedence of Kshatriyas over Brāhmaṇas and conceive the origin of monarchy in a kind of Social Contract. Unfortunately, we have little evidence of the influence exercised by the reform movements upon the institutions of the monarchic State.

ECONOMIC POLICIES OF THE MONARCHIC STATE

Our knowledge of the economic activities of the State in the Vedic Age is almost completely a blank. The economic conditions of the time were too simple to require State intervention. The pre-Maurya period is the first great Age of economic advance in our country's history. This led to a new branch of State policy dealing with the economic activities of the State. The greatest development in this direction may be traced in the *Arthaśāstra* of Kauṭilya. The two great lines of economic policy in Kauṭilya's work are concerned with the direction of economic life and activities of the people, and management of various capitalistic enterprises in the branches of production and distribution.

A. STATE DIRECTION OF THE ECONOMIC LIFE AND ACTIVITIES OF THE PEOPLE

Firstly, in Kauṭilya's multi-purpose programme of development of the waste lands, economic progress occupies a prominent place. This involves the foundation of agricultural villages, the lease of fields to cultivators on occupancy tenures, agricultural loans and revenue remissions for ensuring increased production and rise in the king's revenue, the construction of irrigation-works by the State and with State help, the foundation of trade-marts, the opening of trade-routes and so forth. Simultaneously, the barren area is required to be afforested for a rich variety of economic products.

In the second place Kauṭilya gives us an outline of the State policy of agricultural improvement. To take some instances, full rights of ownership including those of sale, mortgage and gift, are allowed to revenue-paying cultivators over their holdings: a complete initiative is left to the cultivators for the growth of their crops, except during the king's financial crisis: co-operative constructions are encouraged by special clauses of the law: encouragement is given for the import of rare seeds.

In the third place the Kauṭilyan State follows a dual policy of encouragement as well as of control of industry and trade. To quote some instances of State encouragement in the *Arthaśāstra*, weather-beaten boats and boats straying from their course are granted exemption from customs duties at the ports of their arrival: special care is taken for the security of merchants' goods deposited in the villages against theft in night-time, a chain of rural officers being held to be severally liable for compensating the owners for their loss.

We give below some instances of State control of industry and trade in Kauṭilya's work. Firstly, a special body of regulations is laid down for fixing the conditions of work and the remuneration as well as the responsibilities of various classes of artisans and dealers. Secondly, control over marketing operations is entrusted to three separate *adhyakshas*. The *śulkādhyaksha* or the officer-in-charge of the city custom-house arranges for the sale of merchandise imported into the city by public proclamation at a fixed price prior to the collection of customs duties on the same : the *paṇyādhyaksha* or the marketing officer is charged with protection of the public against unfair raising of prices by traders, while helping them in their import as well as export trade : the *saṁsthādhyaksha* or the officer-in-charge of shops protects the public against various malpractices of retail and wholesale traders and controls the bulk purchases of food-grains and other articles. Thirdly, the State controls the investment of capital by fixing the rate of interest for ordinary transactions, while allowing extra rates for other transactions.

B. STATE MANAGEMENT OF AGRICULTURAL, INDUSTRIAL AND TRADING ENTERPRISES

It is to the pre-Maurya period that we can trace the oldest references to State capitalism in our country's history. Its full development in the branches of agriculture, industry and trade is found as usual in Kauṭilya's work.

Firstly, in Kauṭilya's classified list of sources of the State income (II 6) the proceeds of the State agricultural farms are given under a separate title called *sītā*. The State agricultural farms were worked under the expert guidance of the *sītādhyaksha* and his assistants. They were required to practise scientific agriculture after the most advanced standards of the time. This involved sowing of the seeds in the light of astronomical and meteorological data, the selection of soils for sowing different kinds of crops, the chemical treatment of the seeds before sowing, not to speak of the thorough harvesting of the crops and the careful storage of the prepared corn at the State barns.

Secondly, large herds and studs of domestic animals, which were no doubt utilized by the State for meeting its various requirements in peace and in war, were placed in charge of appropriate officials. The *go'dhyaksha* was to prepare classified lists of cattle under his charge, to arrange for their grazing in carefully selected units, to distribute rations on a graded scale for the animals and to utilize the milk and other products of living animals and even the remains of the dead creatures. The *aśvādhyaksha* on his side was required to enter classified lists of horses and other beasts of burden under his charge in his register, to construct stables according to plan, to distribute rations according to scale, and to apply prescribed tests for distinguishing between various categories of the animals.

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Thirdly, the State acquired and exploited monopolies of forests, mines and mineral deposits. At the time of development of the waste lands different categories of forests of economic products were set up in the rural areas: colonies of foresters and forest guards were planted for the upkeep of these forests: a special officer called the *kupyādhyaksha* collected all varieties of economic products from the forests through the agency of the forest guards and set up workshops for the manufacture of goods for civil and military purposes. In the settled area the *ākarādhyaksha* who was in overall charge of the mining operations and his staff of experts prospected for new and old deserted mines according to elaborate tests, carried on smelting and other operations of the ores in State refineries, prepared finished goods at the State factories and supervised the sale of the wares by licensed dealers: another *adhyaksha* called the *suvarṇādhyaksha* was especially charged with treatment of the metallic ores by various technical processes at the State laboratories as well as with disposal of the products: a master goldsmith was employed by the last named officer inside the capital city to provide for the needs of the public and he exercised strict control over the artisans, requiring them to fulfil the terms of their contract with their customers and protecting the public from their various acts of deception. The working of the salt deposits was entrusted to the *lavaṇādhyaksha* who collected the royalty or the royal share of the output from the lessees and levied countervailing duties upon the imported salt.

Fourthly, the State set up factories for the manufacture of a large variety of textiles, the products being utilized for meeting the needs of the administration. The *sūtrādhyaksha* who was in charge of the spinning factory (*sūtraśālā*) and the factories (*karmāntas*) for the manufacture of woven fabrics employed skilled male as well as female labour. The wages of spinners were paid according to the quantity and quality of the yarn spun, while the weavers were engaged on a contract basis. The obligations of both spinners and weavers under the terms of their employment were enforced by strict disciplinary measures.

Fifthly, the State created a sort of monopoly for brewing the best varieties of liquors (*surā*) and for their sale to the public with adequate restrictions and proper sanitary arrangements. A special officer called the *surādhyaksha* was charged with the control of the production and sale of the liquors. Elaborate technical processes were used for the distillation of six specified varieties of liquors. Restrictions were imposed on the sale and consumption of the liquors in the interest of public morality, as well as of law and order and industrial production.

Sixthly, arrangements for State trading went hand in hand with those for the manufacture of the wares at the State factories. The policy was to push the sale of the State merchandise to the best advantage both in the home and foreign markets. The *paṇyādhyaksha*, who was in charge of the operations, employed for the former purpose various methods of manipulating the market and of rigid control over the licensed dealers. For the latter purpose he made a careful calculation of various factors so as to ensure a margin of profit from the transaction.

OTHER ASPECTS OF STATE ECONOMIC POLICY

Before leaving the present subject, we may notice its two other aspects, which are concerned with the State control of weights and measures and the State regulation of coinage. *Firstly*, the use of weights and measures may be traced back to the Vedic Age. But the creation of a State agency for their control dates only from the pre-Maurya period. According to a cryptic statement of an old *Dharmasūtra* author (Vas. XIX 13) weights and measures required for the householders are to be guarded (by the king) against falsification. This conveys a hint of State regulation of their circulation. The fullest development is found as usual in Kauṭilya's work. From one of his chapters (II) we learn that a special officer called the *pautavādhyaksha* was entrusted with the manufacture and circulation of the standard weights and liquid measures. For the purpose of their manufacture materials of specified varieties were used at the State factory. For the control of their circulation the officer was required to carry out a periodical inspection of the weights and measures, a special fee being charged for the purpose. The use of defective weights, measures and balances was visited with appropriate penalties.

Secondly, vague references to the use of coins are found in the Vedic *Saṁhitās* and the *Brāhmaṇas*. By contrast the first complete system of indigenous coinage belongs to the pre-Maurya period. This is proved by the discovery of large hoards of the so-called punch-marked silver and copper coins, which have been traced back by competent authorities to those times. Two groups of silver coins of this type, in particular, have been assigned on plausible grounds to the independent kingdoms of Kośala and Pañchāla, and another group to the empire of the Nandas of Magadha (see Chapter I). Good reasons have also been given for the view that the punch-marked silver coins were issued by State authority. The literary records of this Age refer to the circulation of gold as well as of silver and copper coins. The first clear reference to the State issue of coinage is found in Kauṭilya's work. The officer-in-charge of the stamped coins, called the *mudrādhyaksha* (or as we may call him, 'the mint-master') was required to issue silver as well as copper pieces. The coins were struck in fixed proportions of alloy and pure metal and in prescribed denominations. Another officer called the *rūpadarśaka* (examiner of coins) was charged with directing the circulation of coins according as they were meant for public business or for deposit in the king's treasury.

FINANCES OF THE MONARCHIC STATE

We have clear references to the king's levy of taxes on his subjects in the late Vedic Age. The taxes probably consisted of a share of the agricultural produce and other income of the villagers. The creation of a system of State finance, as of many other institutions, dates from the pre-Maurya period.

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We can summarize its chief features under three heads, namely, (*a*) State receipts and disbursements, (*b*) State treasuries and store-houses, and (*c*) auditing and accounting of the State revenue.

1. STATE RECEIPTS AND DISBURSEMENTS

As regards the branch of State receipts, a classified list of sources of the State's income is given by Kauṭilya with his characteristic thoroughness. The three most important items of taxation known to our sources are the land-revenue, the tax on artisans and the tax on traders. *Firstly*, the land-revenue (*bhāga*) was assessed directly on the holdings of the individual cultivators: it consisted principally of a share of the agricultural produce which was fixed in the *Dharmasūtras*, at the uniform rate of $\frac{1}{6}$th or else at rates varying from $\frac{1}{6}$th to $\frac{1}{10}$th: it was assessed by one or other of the methods of appraisement of the standing crops or of measurement of the fields. The *bhāga* was supplemented by the levy of irregular cesses. An additional burden was imposed upon the villagers in the shape of forced labour which was required for the purposes of civil as well as military administration. *Secondly*, the *Dharmasūtras* indicate that a tax on artisans was levied in the form of a fixed service or payment every month, while Kauṭilya's *Arthaśāstra* mentions a levy in cash (on terms unknown to us). *Thirdly*, in the *Dharmasūtras* we notice a great variation in the methods of levying customs duties (*śulka*) on merchandise. In Kauṭilya's work we find that the *śulka* was levied upon merchants at various check-posts as well as inside the city, the city toll-house (*śulkaśālā*) being placed in charge of a special officer called the *śulkādhyaksha*. Other officers were charged with collection of the duty on salt and on goods arriving at the ports. The duties were assessed in cash evidently after valuation by experts. The rates varied according to the nature of the article. The most complete arrangement was made for the collection of the *śulka* at the city toll-house. This was intended to ensure complete security against evasion of the tax by the merchants, while securing for the public the benefit of sale at a fixed price and for the merchants that of deposit of the merchandise in a bonded warehouse before payment of the *śulka*. The levy of benevolences and the employment of various questionable methods of force and fraud are recommended by Kauṭilya to a king faced with a financial crisis.

In the next place Kauṭilya requires the officer-in-charge of State records and accounts (*akshapaṭalādhyaksha*) to enter the items of expenditure relating to all government offices (*adhikaraṇas*) in his register. In this list were doubtless included the requisitions in cash or in kind which, as we learn in other contexts, were drawn by the *adhyakshas* for running their respective offices. A heavier item of expenditure consisted of the cash salaries drawn by a large body of civil and military officials included in the king's Civil List.

In the last place, Kauṭilya's general statement about the duties of the two important revenue officers called the *sannidhātā* and the *samāhartā* gives us a clue to the methods of administration of State receipts and disbursements known at that time. It appears that the *sannidhātā* was expected to have at his command statistics of the State revenue and expenditure for many years past. We may further infer that the *samāhartā* was required to prepare some kind of financial estimates for the current year for which the data collected by the *sannidhātā* would be of the greatest help (see Chapter II above).

2. STATE TREASURIES AND STORE-HOUSES

For our knowledge of the working of the State treasuries (*kośagṛihas*) and store-houses (*koshṭhāgāras*) according to the advanced ideas of the time, we are again indebted to Kauṭilya's work, although stray references to the same are found in other sources. We give below a summary of Kauṭilya's account. *Firstly*, the *sannidhātā* was charged with construction of the treasuries and store-houses according to elaborate plans and was to arrange for their equipment with proper care as well as for the general supervision of their working. A strikingly modern note is struck by the provision for a rain-gauge at the State store-house. *Secondly*, the *koshādhyaksha* or the treasury officer who received gems and other valuable products (classified by the author under five heads) into the royal treasury was required to provide for their examination by experts and to apply his own expert knowledge for their preservation and treatment. *Thirdly*, the *koshṭhāgārādhyaksha* or the officer-in-charge of the State store-house, who received a wide variety of agricultural and other products, not only looked after their preservation but also prepared them for human and animal consumption and distributed rations evidently among the State employees according to a prescribed scale.

3. AUDITING AND ACCOUNTS OF THE STATE REVENUES

This brings us to an astonishingly modern aspect of State finance in Kauṭilya's work. His description may be thus summarized. *Firstly*, the *samāhartā* was required to maintain exhaustive accounts of the State income and expenditure under major as well as minor heads. For this purpose the official year was counted from the king's coronation and the accounting year was fixed at 360 days from the beginning of the financial year (namely, the full-moon day of the month *Āshāḍha*). *Secondly*, the *akshapaṭalādhyaksha* was required not only to enter various accounts in his register, but also to fix up the accounts of the State offices for the benefit of the *adhyakshas* at the time of their appointment. *Thirdly*, the accountants were required to appear before the auditing officer at the end of the financial year with their statements of accounts. The audit officer verified these statements and took charge of the net balance.

LAW AND JUSTICE IN THE MONARCHIC STATE

1. THE BODIES OR CODES OF LAW

The pre-Maurya Age marked the opening of the epoch of bodies or codes of State law in our country's history. Of the two groups of such codes

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belonging to this Age one is found in the extant *Dharmasūtras* ('Aphorisms of the Brahmanical sacred law') and the other is preserved in Kauṭilya's *Arthaśāstra* as the last remnant of the class of laws due to the technical writers on the science of policy.

To their body of State law the authors of the *Dharmasūtras* add the first penitential code dealing not only with breaches of social regulations but also with offences against person and property. For our present purpose it will be sufficient to notice three principal characteristics of the two bodies of State law above mentioned. *Firstly*, both groups claim to apply irrespectively of geographical or political boundaries to the whole community that was included within the pale of Indian civilization at that time. This claim is supported by the fact that our records are almost completely silent about the laws of particular States in their time, even the contemporary Greek observers making only vague references to the laws of the States of the Indus valley on the eve of Alexander's invasion. It is reasonable to infer that the laws of the *Dharmasūtras* and the *Arthaśāstra* applied in a general sense to the States of this period, the degree of their application varying according to the strength of the canonical or the *Arthaśāstra* tradition in different geographical areas. In the second place, both groups of codes follow a common pattern. The *Dharmasūtra* code claims to derive its origin primarily from the Sacred Canon and secondarily from approved custom, while both the canon and the custom are included among the sources of the law in the code of the *Arthaśāstra*. Concrete instances of the application of custom as a source of law are found in both classes of works. As a whole, however, the *Arthaśāstra* code is in a much more advanced condition than its *Dharmasūtra* counterpart. In the third place, the *Arthaśāstra* code is marked by two distinctive features. It contains a supplementary body of penal laws of a sufficiently drastic character for dealing with various specific crimes against person and property. Again, it recognizes the king's edict as having the force of law, subject necessarily to the supremacy of its own authoritative sources of the State law.

2. JUSTICE IN THE MONARCHIC STATE

The complete ascendancy of the King's Justice is implied or expressed in all the records of this period. The king's jurisdiction even extends over the enforcement of penances, the only important exception being found in *Āpastamba-Dharmasūtra* (II 5.10.12f, ibid. 5.11.1f). This involved as a necessary corollary the creation of the first regularly constituted State courts in our country's history. The King's Court stands at the head of the State judiciary, and subordinate courts are manned by the State judges. In the next place, the constitution of the King's Court is defined in the *Dharmasūtras* as consisting of the king and a body of assessors. Kauṭilya mentions the separate working of the subordinate staff of judges in the rural and the urban areas. The judges are called by different designations, namely *dharmasthas* in Kauṭilya's work and *vinichchaya-mahāmātras* or *vohārika-mahāmātras* in the works of early Buddhist literature. Kauṭilya mentions three *dharmasthas* as forming a bench, while the Buddhist texts refer to the judges acting independently. In the next place the separation of the judiciary from the executive is complete in Kauṭilya's work, while it is imperfect in the *Jātaka* stories where executive officers are often found to be appointed for judicial posts. To turn to another point, the *Dharmasūtras* refer to the limited use of a jury for deciding questions of law, while Kauṭilya refers to the same for determining questions of fact. Finally, the *Jātaka* stories acquaint us with the operation of different categories of private courts (caste councils and councils of kinsmen as well as of various functional groups) at that time, apparently for the purpose of settling internal disputes among the members.

The maintenance of a high standard in the administration of State justice is insisted upon by our two most important sources. An elaborate judicial procedure is laid down for the king in the *Dharmasūtras* and for judicial officers as well in Kauṭilya's work in the award of sentences in criminal trials. The *Dharmasūtras* apply moral and spiritual sanctions for the king's observance of strict and impartial justice. In Kauṭilya's *Arthaśāstra* legal penalties are imposed upon the king and disciplinary measures are adopted against the judicial officers in the event of miscarriage of justice. The immense importance of the legal clause just mentioned consists in its keeping alive the principle of the sovereignty of law in the sphere of the king's judicial administration.

When we turn to our other sources, we find a few passages in the Pali canon and in the *Jātakas* bearing testimony to the impartial administration of justice by the king and his judicial officers as well as to the strict control imposed by the king over those exercising rights of jurisdiction in the villages. From other passages, however, we learn that (notwithstanding the strict injunctions in the *Dharmasūtras* and the *Arthaśāstra* to the contrary) criminals were habitually shielded from justice by the king and his officials, and·that the kings regularly inflicted capital sentences upon accused persons after summary trials. This last practice often resulted in the conviction of innocent persons who were charged with crimes by designing individuals.

POLICE

REGULAR POLICE AND SECRET POLICE

The establishment of the King's Peace throughout his territory during this period is proved by the direct testimony of all our sources. This involved the creation for the first time of the institution of a State police operating in both the urban and the rural areas. The State police was divided into two branches, namely, the regular and the secret.

As regards the organization of the regular police, we read in Kauṭilya's work of three tiers of officials operating in the rural area and as many tiers in the urban area. Police powers could be independently exercised by other officers. Two aspects of this police administration deserve our particular attention because of their modernistic character. *Firstly*, passports were issued by a special *adhyaksha* for entry into and exit out of the kingdom, and they were examined by another *adhyaksha*. *Secondly*, in cases of sudden death the body of the deceased was subjected to a post-mortem examination in the light of an elaborate list of symptoms of death from different causes. This was followed by an equally thorough investigation involving interrogation of suspects and consideration of motives generally leading to ill-will and subsequent murder.

Of the two divisions of the secret police in Kauṭilya's work, namely, the itinerant and the stationary, the former was controlled by the latter, and having a different composition, occupied a lower grade in the king's Civil List. Espionage, again, was extensively used for such purposes of internal and foreign administration as the promotion of public security and welfare, the suppression of enemies of the State, and pushing the success of the State's foreign policy.

In contrast with the full description in Kauṭilya's work the references to police administration in other sources are disappointingly meagre. They, however, confirm the working of the regular police as well as spies and informers.

JAILS

The institution of State jails like that of the State police dates from this period. The chief features of jail administration as reflected in Kauṭilya's work are as follows. *Firstly*, lock-ups (*charakas*) for the custody of under-trial prisoners and jails (*bandhanāgāras*) for housing convicts were constructed according to plan. *Secondly*, appropriate officials were placed in charge of both lock-ups and jails. *Thirdly*, a sort of jail code was in use which provided for the safe custody of prisoners, while protecting them from maltreatment by means of fines and other penalties. *Fourthly*, jail deliveries were made periodically as well as on special occasions.

REPUBLICS AND THEIR ADMINISTRATION

The rise of republics during this period marks a new feature in the history of our ancient public life. In the story of the rise and fall of these States two distinct areas and periods of time may be distinguished. The republics of the Gaṅgā basin came into prominence during the period of the rise of Buddhism and disappeared from the scene within a century thereafter: those of the Indus valley arose after the downfall of Persian rule and were swallowed up by Alexander's conquest. In the first period, the republics came to be known by two distinctive titles, namely, *saṁgha* and *gaṇa*. They were of the nature of aristocracies or oligarchies ruled by the Kshatriya class, and they had an elected supreme magistrate as well as a sovereign assembly which had its official meeting-place (*santhāgāra*). By way of exception to the general rule the Śākyas of Kapilāvastu appear to have possessed a mixed constitution consisting of a hereditary ruler along with an assembly of the ruling class.

Besides the single republics, there were republican leagues, of which, however, the constitution is imperfectly known. The republican assemblies probably followed the well-known advanced procedure of the Buddhist monastic congregations. Some differences were, however, inevitable between the procedure of a sovereign political assembly and that of a gathering of monks. The fall of the republics was due partly to the decay of their private and public virtues for which they were noted at the time of their rise to power, and partly to the aggrandisement of neighbouring powerful kings.

The republics of the Indus valley are described by the contemporary and competent Greek observers as having an aristocratic constitution, only one example of a democracy being mentioned by way of exception to the general rule. The republics were ruled evidently by an elected head of the State and a sovereign assembly which exercised the rights of making peace and war and issuing decrees in its own name. To these was probably added a council of elders for advising the supreme magistrate and the assembly. The downfall of the republics was not due to their want of courage or the spirit of sturdy independence or military strength. It was precipitated by the disastrous invasion of Alexander, who conquered their territories and annexed them to his dominion.

MILITARY ORGANIZATION OF THE PRE-MAURYAN STATE

The creation of the first complete military system known to our country's history belongs to this Age. Its full development is recorded as usual in Kauṭilya's *Arthaśāstra,* while occasional references are found in other sources. Without going into technical details we may describe its principal features under the following heads.

Firstly, as regards recruitment and maintenance of the army. The army was recruited on the widest possible basis so as to include hereditary as well as mercenary troops, the State's subjects as well as aliens, disciplined troops as well as free-booters. This mixed composition was standardized in Kauṭilya's enumeration of six constituents of the army, which were called by as many technical names. One section of this composite army consisted of individual mercenaries, another section of companies of such professional troops of the type mentioned in the contemporary records. Both officers and ordinary soldiers, according to Kauṭilya, were paid cash salaries directly out of the State treasury, thus providing the oldest known example of the Indian standing-army. The army was organized in four wings or divisions consisting of infantry, cavalry, chariots and elephants. The military branch of the administration was separated from the civil. Nevertheless, while the training and equipment of the infantry were entrusted to purely military officers, civilian officers held charge of the supply and equipment of what may be called the army remount. The division of the army into the four wings above-mentioned was followed by the monarchies and republics of the Indus valley as described by Alexander's Companions. From the further evidence of the Greek writers it appears that both monarchies and republics

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developed their military resources to the utmost. This was facilitated in the case of republics by the fact that many of them are mentioned as examples of companies of fighters in the indigenous records.

Secondly, as regards organization of the army command. We learn from Kauṭilya that besides the king who was the head of the military (as of the civil) administration, there were three top-ranking officers (*senāpati, praśāstā* and *nāyaka*) who held overall charge of the army, while subordinate officers were entrusted with command of the different wings. The king and these officers were required to possess a broad knowledge of the art of war in all its branches, while trainers were provided for the management of horses, elephants and chariots. In the Indus valley, we learn from the reports of Alexander's officers, the kings personally led their troops to battle, while officers held charge not only of the whole force but also of its separate divisions. Another type of military formation consisting of mixed companies of the wings or divisions under appropriate commanders is described by Kauṭilya and is referred to by the grammarian Pāṇini.

Thirdly, production and storage of armaments. In these respects the pre-Maurya Age reached a sufficiently high level to make it an epoch in our country's ancient military annals. The State armoury, we read in Kauṭilya, is to be constructed according to plan : the officer-in-charge of the same is required to make elaborate arrangements for the manufacture and storage of the armaments : the weapons are sufficiently varied to permit classification under four broad heads, namely, machines, weapons, mail-armour and accoutrements : the variety in the shape, size, sources and value of the weapons are to be carefully recorded by this officer in his register. To the above Kauṭilya adds in another context a long list of secret weapons (with their descriptions) for use in what he calls treacherous combat. We have a partial corroboration of the above in Pāṇini, who refers to various weapons of offence and defence in his time. According to a historical tradition which has been preserved in a Jaina cononical text, two new types of military engines (a catapult for throwing big stones and a chariot with mace attached to itself) were employed by King Ajātaśatru of Magadha in his war with Vaiśālī.

Fourthly, as regards military defence. Following the prehistoric Age of the fortified cities of the Indus Valley civilization, the pre-Maurya Age presents us with the first State organization of military defence in historical times. Kauṭilya provides for planned fortifications of rural and urban areas in his project for development of the waste lands. This includes above all the construction of walled forts on an elaborate plan with ditches, ramparts, and brick walls with turrets, all measured according to scale. The above finds partial corroboration in literary references in the *Jātakas*, and above all in the remains of fortifications of the pre-Maurya Age which have been recently excavated at Kauśāmbī. To a lesser extent it is supported by the descriptions of strongholds of the Indian rulers by Alexander's officers.

INTER-STATE RELATIONS OF THE PRE-MAURYA AGE

The intimate contacts of States preceding the rise of the Nanda Empire towards the end of our period led to the first known system of inter-State relations in our country's history. For all our information on the subject we are practically indebted to one source, namely, the *Arthaśāstra* of Kauṭilya. The advanced stage of mutual relations of States in Kauṭilya's work is indicated principally by three facts, namely, (a) the rise of a State-system, (b) the formation of a highly complex body of these relations, and (c) the application of the criterion of interest of the State for the selection of those relations. *Firstly,* as regards the rise of the State-system, the standard type as envisaged in the *Arthaśāstra* consists of an aggregate of twelve States. These comprise a central powerful State and a group of its satellite States resting supposedly on the principle of balance of power within its orbit. *Secondly,* as for the complex relations of States, the types of foreign policy are arranged by Kauṭilya under six heads, which are further divided into sub-types. A study of these types and sub-types shows that they cover the whole range of external relations of a State. *Thirdly,* as regards the principles of foreign policy, the general canon of its application is explained by Kauṭilya to be that of expediency based upon an intelligent estimate of the relative strength of two States. More fully it is explained that the great objective of foreign policy is a State's all-out attainment of Power and Success to the detriment of the enemy. The canon of selection of a particular type of policy, we are further told, is the achievement of Progress, meaning a State's development of its own military and economic resources and denial of the same to the enemy. In the result, the standard of inter-State relations in Kauṭilya's work reaches a low level. *In the first place,* what scanty regard was paid for the sanctity of treaties is proved by a number of facts. Treaties supported by taking securities or hostages are sought to be nullified by demonstrated methods of escape from their obligations; inconvenient or onerous clauses of unequal treaties are sought to be circumvented by trickery, and treaties on equal terms are discussed in such a way as to enable one party to over-reach the other. *In the second place,* wars seem to have been fought, as a rule, with particular ferocity and treachery. Thus the vital choice between treacherous and clean fight is held to be a question of expediency. The methods of treacherous fight are demonstrated at great length. Open incitement by promise of cash rewards is held out by the general in command for the assassination of the enemy king and his officers and soldiers at the beginning of a battle: free-booters are enlisted in the army for plunder of the enemy's territory: enslavement of prisoners of war is recognized as a current practice, such persons forming a well known category of the class of slaves: open sanction is given for the employment of a wide variety of secret weapons causing widespread death and devastation in the enemy's kingdom. On the whole, it may be said that the normal attitude of States towards each other is held to be one of suspicion and distrust, if not of incipient hostility. There is admittedly according to our

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authorities no scope in their system for inter-State arbitration or even for a truly pacific collaboration of States. It remains to add that the type of inter-State relations which has been sketched above must have passed away with the integration of the independent States of the Gaṅgā basin into the Empire of the Nandas of Magadha, which marks the closing scene of the period covered by this section.

PART TWO

THE MAURYA PERIOD

CHAPTER I

SOURCES OF INFORMATION—POLITICAL HISTORY

WITH the period of the Maurya Emperors opens for all practical purposes the era of contemporary historical documents in our country's annals. The most important original sources for the history of this period consist firstly of the observations of the Greek ambassador Megasthenes on the court and administration of Chandragupta Maurya, and secondly, of the world-famed inscriptions of Aśoka providing the earliest examples of what may be called Indian State records. Less important sources comprise the coins and archaeological remains of the period as well as the mass of traditions that gathered in course of time around the figures of the first and the third Maurya Emperors. Nevertheless, it is not possible to present a continuous narrative of this period because of the wide gaps in our knowledge of the same.

The sources of history for the Maurya period may be classified under two heads, namely, indigenous and foreign, the former being further subdivided into two groups, literary and archaeological.

INDIGENOUS SOURCES

(*a*) *Literary*. These sources consist, firstly, of the historical (or quasi-historical) traditions relating to Chandragupta Maurya's ancestry, his rise to power and his end, and in the second place, of the traditions bearing on Aśoka's early career and the events of his reign before and after his conversion to Buddhism. The traditions about Chandragupta are preserved in later Brahmanical, Buddhist and Jaina works, and the Aśokan traditions have been handed down in later Indian and foreign Buddhist literature. The evidence of these traditions requires to be used with great caution.[1]

(*b*) *Archaeological*. Under this head the first place belongs to the group of Aśokan inscriptions, which in their entirety form one of the most important bodies of epigraphic records in the history of the ancient world. These inscriptions contain an absolutely authentic account of various aspects of the Emperor's reign after his own version. The references to the structure and working of the administration in particular are given almost entirely in the context of the Emperor's exposition of his propaganda for *dharma* ('the Law of Piety'). Much less importance belongs to the single inscription of Aśoka's grandson Daśaratha. In the next place a series of punch-marked silver coins have been identified as being the issues of the Maurya Empire, but their value is greatly discounted by the complete absence of names and dates. Lastly, the remains of towns and buildings of the Maurya period, which have been excavated at various sites, often furnish evidence of high illustrative value.[2]

FOREIGN SOURCES

The *Indica* written by Megasthenes, who was deputed by Seleucus Nikator the ruler of Western Asia to the imperial court at Pāṭaliputra, contains a first-hand account of the court and administration of Chandragupta Maurya. Unfortunately it is known only from fragments quoted by later classical writers. An anecdote of the correspondence between Chandragupta's son and successor Bindusāra and Antiochus I (the successor of Seleucus) has been handed down to us by three classical authors.[3]

The political history of the Maurya period is marked by some important milestones. These are :

Firstly, the foundation of the Maurya Empire by Chandragupta Maurya, which was preceded or followed by his liberation of the Indus valley from the yoke of Alexander's successors ;

Secondly, the repulse of Seleucus' invasion by Chandragupta Maurya and his cession of the territory to the west of the Indus up to the line of the Hindu Kush to the conqueror. This momentous event not only marked the end of the period of Hellenistic expansion in the East, but it also opened an era of friendly relations between the Indian and the Hellenistic powers ;

Thirdly, completion of political unity of our country by the successive conquests of Western India and of Southern India as far as the line of the Kāverī river by Chandragupta Maurya (or his son) and of Kaliṅga by Aśoka ;

Fourthly, the conversion of Aśoka, which forms a turning point not only in the history of India but also of the ancient world : in the branch of internal administration it marked the transition from a programme of territorial expansion to that of the moral and material welfare of subjects of the Empire : in the realm of foreign affairs it marked the change from a policy of militarism to that of pacifism.[4]

CHAPTER I

NOTES

[1] For useful summaries of these traditions see *CHI* pp. 470–1, 500, *PHAI* pp. 264, 294, 302.

[2] For Aśoka's inscriptions the most valuable work is still that of E. Hultzsch, *The Inscriptions of Aśoka, CHI* Vol. I (1925). Valuable supplementary studies are supplied by B. M. Barua in *Inscriptions of Aśoka*, Part II, (1943), and *Aśoka and his Inscriptions*, Parts I & II (1946). On punch-marked coins the most important work is still Allan, *Catalogue of the coins of Ancient India*, (British Museum, 1936). The most important archaeological remains of the Maurya period have been discovered in Takshaśilā and Pāṭaliputra, for which see respectively *Taxila*, in 3 volumes, by Sir John Marshall (Cambridge, 1951) and *The excavations at Pataliputra* (*ASIAR* 1912–13, pp. 53–86) by D. B. Spooner.

[3] *Indica* of Megasthenes, tr. by A. G. Ross (1907) : latest English tr. by E. J. Robson in 2 volumes (1929, 1933). For the story of the correspondence between Antiochus and Bindusāra see M'Crindle, *Invasion of Alexander*, p. 400.

[4] On the political history of the Maurya period see especially *PHAI* Chaps. IV–V.

CHAPTER II

DIVISIONS OF THE MAURYA EMPIRE—ORGANIZATION OF THE CENTRAL GOVERNMENT

THE territorial expansion of the Empire of the Mauryas necessitated the formation of great administrative divisions or provinces of the same. But we have no information about the creation of the provinces by the first two Maurya Emperors. By the time of Aśoka the imperial dominions were known by a definite title, *vijita* or *vishaya*, or more fully *rāja-vishaya* (RE II, III, XIII, XIV) which distinguished them from the adjoining independent kingdoms called *antya-avijita*, or more simply *antya* or *pratyanta*, meaning unconquered frontagers (RE II). The imperial dominions were divided into two regions, namely, the territory directly ruled by the Emperor called *janapada* and that of the dependent autonomous tribes called *aparāntas* (RE V and especially RE XIII which last gives an illustrative list of the *aparāntas*).[1] There were also dependent kings in select areas like the *Yavana* 'king' Tushāshpha under Aśoka. The foresters (*aṭavīs*) formed a distinct class of subjects who are distinguished from a list of dependent tribes or peoples included within the *rājavishaya* (RE XIII) (For further information see below, s.v. *Provincial government*). The Mauryas inherited from their predecessors a highly centralized administration under the rule of a king assisted by his officials. This was continued and developed under their rule.

THE EMPEROR AND HIS STAFF

Beginning with the position of the Emperor, we know from references in Megasthenes and in Aśoka's inscriptions that the Mauryas combined the headship of the civil and military administration in accordance with the ancient Indian monarchic tradition. Over and above these powers Aśoka claimed for himself after his conversion, if we are to judge from his decree for the expulsion of schismatic monks (Schism Edict), the virtual headship of the Buddhist Church. From the evidence of Aśoka's inscriptions it further appears that the Mauryas not only continued the traditional ceremony of royal consecration, but also recognized its importance as marking the official commencement of their reign. On the details of the coronation ceremonies, however, our information is completely wanting.[2] To turn to another point, we learn from Aśoka's inscriptions that even the greatest of the Imperial Mauryas was content with the simple royal title of *rājan* or king prefixed or affixed to his proper name Piyadasi (Skt. *Priyadarśin*). To this he added the honorific designation of *devānaṁ piya* ('Beloved of the Gods') with variant readings evidently as a mark of divine favour and nothing more. This presents a striking contrast with the imperial titles 'Great King' and 'King of Kings' assumed by the Achaemenid predecessors and the Hellenistic contemporaries of the Mauryas, as well as with the divine honours claimed for themselves by the latter. From this as well as from other lines of evidence it follows that the Maurya system of administration, in spite of occasional borrowings from outside, was essentially Indian. In the next place the Mauryas not only maintained but surpassed the high standard of constant attention to State business inculcated by Kauṭilya. We are told by Megasthenes how Chandragupta Maurya applied himself continuously to the hearing of public suits even while his limbs were being massaged by his attendants. This is in the spirit of devotion to State duties which led Kauṭilya (II 19) to compare the king's exertion and attention to public business with the performance of a religious sacrifice. Going a step further, Aśoka in one of his edicts (RE x) declares himself as exerting for the welfare of his subjects. It is evident that the objective in this case is the fulfilment of a high ethical ideal transcending that of mere devotion to the interest of the State. In one of his inscriptions (RE VI) Aśoka conveys an order to the reporters (*prativedakas*) to report to him at all hours on the peoples' business and in particular he calls for immediate reports at all hours in the event of a dispute or debate among the Council of Ministers. This points to the institution of reporters for the quick performance of State business by the monarch. In contrast with the staff of scribes in Kauṭilya's *Arthaśāstra* (I 11) who put the royal orders in writing in the proper official style, the *lipikaras* of Aśoka are entrusted with the mechanical task of engraving the royal decree on permanent material. When we consider the great importance of the imperial communications within as well as outside the Empire, we may, however, reasonably infer that the institution of scribes was continued under his rule.[3]

PRINCES OF THE IMPERIAL HOUSEHOLD

We have seen before how an acute problem was presented by the princes of the royal household in the discussions of the *Arthaśāstra* writers. In general these authors require the king to keep the princes under strict surveillance (if not restraint) in the interest of his own security. In the Maurya historical tradition, however, we have no instance of princes proving to be a danger to the security of the reigning sovereign. On the contrary we hear of imperial princes serving as viceroys of provinces during their father's lifetime. It would seem that the Mauryas followed the liberal policy advocated by Kauṭilya of carefully bringing up the princes and of selecting the most suitable of them as the Crown Prince or the general.[4]

THE BUREAUCRACY

The creation of the bureaucracy was, as we have seen in the preceding Part, one of the greatest achievements of the earlier period in the field of practical administration. This institution seems to have reached its culmination during the Maurya period. In the first place the Mauryas appear to have organized a regular administrative service. Megasthenes in his confused account of the Indian castes recognizes this group as the second caste, which he calls the *Symbouloi* and the *Synedroi* ('advisers and councillors of the king'). The brunt of the civil and military administration must have been borne by this class. There is, however, reason to think that these officials who were known in Aśoka's time by the familiar title of *mahāmātra*, were sometimes guilty of oppressing the subjects of the Empire. In the Buddhist Sanskrit work, the *Divyāvadāna*, we have stories of popular revolts at Takshaśilā during the reigns of Bindusāra and Aśoka, which were provoked by the oppressions of officials. More authentic evidence is furnished by Aśoka's Kaliṅga Rock Edict, which, as we shall see in another chapter, conveys a strong warning to the city officials against wrongful confinement.[5] In the second place the Mauryas continued the office of chief minister known to the preceding period. We have historical traditions of great ministers helping Chandragupta Maurya to found the Empire and assisting Aśoka to ascend the throne after overcoming his rivals. Another chief minister is credited with establishing peace and order in the country in Chandragupta Maurya's time.[6]

Thirdly, the Mauryas continued the institution of the Council of Ministers inherited from the preceding period. Megasthenes' evidence is somewhat out of date ; for he speaks of officials deliberating with the king or else with the authorities of the free cities. The first authentic reference occurs in one of Aśoka's inscriptions (RE vi). In this extract the Emperor directs dispute (or debate) in the *parisā* concerning any of his verbal orders about donation or injunction or about any important duty that had been imposed upon the *mahāmātras*, to be immediately reported to him. From the above it appears that the *parisā* like its counterpart in Kauṭilya's *Arthaśāstra* (i 15), namely the *mantriparishat*, was not attended by the sovereign. We further learn that the Emperor sent his orders on particular acts of State to the *parisā* for clarification, the questions of State policy being apparently discussed by him with the higher ministers. In another inscription (RE iii) Aśoka requires the *parisā* to instruct the *yuktas* or financial assistants in the matter of calculating the expenses according to the letter and spirit of his order. This probably shows that the *parisā* was required to render expert help to the assistants in the completion of financial statistics.

Fourthly, as regards the classes of officials and their functions, the rise of the Maurya Empire must have led to an immense expansion of the officialdom which was one of the distinctive creations of the preceding period. We have an illustrative list of the offices filled by 'the class of councillors and advisers' of the king in Megasthenes' description of his seventh and last Indian caste. From this class or caste, we are told, were recruited 'district governors and deputies, custodians of the treasuries, officers of the army and navy, financial officers and overseers of agricultural works'. The list, it will be seen, refers to civil as well as military and naval officers, the former group including executive and judicial officers as well as those in charge of revenue assessment and collection and the State treasury.

An enumeration of the various offices of the Maurya administration is found for the first time in Aśoka's inscriptions. Because of the obscurity and scantiness of the relevant data it has not been possible to explain clearly the functions of many of these offices. We give below the most probable conclusions from the available data. Firstly, the evidence shows that the higher officials in Aśoka's reign were still known by the designation of *mahāmātras* which we have come across in the early Buddhist literature. Aśoka's *mahāmātras* were divided into various sub-classes, such as those distinguished by the terms *nagalaka* and *nagalaka-viyohālaka*, *anta-mahāmātras*, *ithijhaka-mahāmātras*, and lastly and above all, *dhaṁma-mahāmātras* with variant readings. Of these the *nagalaka* and the *nagalaka-viyohālaka* are the exact equivalents of Kauṭilya's *nāgaraka* and *pauravya-vahārika* respectively (Part I, Chapter IX), and indicate as such the perpetuation of the *Arthaśāstra* system of municipal administration. The exact equivalent of *antamahāmātras* to Kauṭilya's *antapālas* or wardens of the marches points to the continuance of the old *Arthaśāstra* administrative machinery. The evident correspondence of *ithijhaka-mahāmātras* to the *stryadhyaksha* of Kauṭilya's work proves the continuance of the institution of official guards over females of the royal establishment. The *dhaṁma-mahāmātras*, an original creation of Aśoka, were entrusted with the task of establishment and increase of piety (*dhammādhiṭhana* and *dhammavaḍhi*), and they have been rendered as such by the equivalent 'Censors of the Law of Piety'. Secondly, the *rājūkas* (with variants in the spelling), the *prādeśikas* and *yutas* are three classes of officials, who are joined together a number of times in the Aśokan inscriptions. A controversy has arisen in our times about the significance of these terms. The most plausible view based on the careful interpretation of the relevant texts seems to be that the *rājūkas* were 'the imperial agents who received express direction for carrying out and broadcasting the Emperor's orders', that the *prādeśikas* 'combined the highest executive and judicial functions as being at once the final court of criminal appeal and the supreme heads of the local administration', and that the main function of the *yutas* was 'the collection and utilization of the revenue through various departments'.[7]

Assuming this view to be correct, it would follow that the *rājūkas* in their capacity of representatives of the central government exercised supreme control not only over the executive and the judicial but also over the financial branches of the provincial administration. As regards the title *prādeśika*, its most natural explanation, based on its etymology, would be a local or a provincial official. How these officers, along with the *rājūkas* and the *yutas*, were charged with the additional function of undertaking tours periodically on official business will be told in a later chapter (Chapter IV). To come to the last point, the identity of the *yutas* with Kauṭilya's *yuktas* proves the continuance of the subordinate official staff in charge of the State funds from the *Arthaśāstra* times. The *yutas*, we are told in one of the Aśokan records (RE III), are to be instructed by the *purushas* or the

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parisā in the matter of formation of the king's message in the letter and spirit thereof. This suggests that the *yutas* had the additional function of announcing the imperial orders according to instructions. Thirdly, among other officers of Aśoka's administration, an important place belongs to the *dūtas* or envoys. The *mukhyas* were appointed by Aśoka on various special duties. They were to work for the distribution of charities on his behalf and on behalf of his queens, his sons and other princes born of the queens, to found permanent institutions of piety, to satisfy their hankerings for knowledge of the truth and the Law of Piety. The last phrase is explained as comprising the virtues of liberality, truthfulness, purity (of mind), gentleness or saintliness among the people.

CHAPTER II

NOTES

[1] The fullest discussion of the list of *aparāntas* in Aśoka's inscriptions is given by Barua, *Aśoka and his inscriptions*, Part I, pp. 69–104. On Tushāshpha, see *EI* VIII 42.

[2] Barua, op. cit., pp. 17–18 quotes the *Dīpavaṁsa* tradition (VI 22, X 39, XI 14) of two successive consecrations of Aśoka, identifying the second consecration on doubtful grounds with the Vedic ceremony of *Punarabhisheka*. Does this story support the authenticity of the Buddhist tradition of a fratricidal war between Aśoka and his brothers for the succession to the throne ?

[3] On Aśoka's relations with the Buddhist Church, see below, Chapter III. For a contrary and a less probable interpretation of *lipikaras*, see Barua, op. cit., p. 187.

[4] For refs. to appointment of imperial princes as viceroys, see below, Chapter VI.

[5] On the title *mahāmātra*, see Part I, Chapter II. Barua's interpretation (*Aśoka and his inscriptions*, Part I, p. 177), of the relevant extract in RE VI as meaning that the *mahāmātras* were present at the deliberations of the *parisā* and should be identified as such with *mantrī-mahāmātras* of *SN* III 5 is untenable.

[6] The references are to Chāṇakya (minister of Chandragupta according to an extensive tradition), the *Jaṭila* Maniyatappo (another minister of Chandragupta after *Mahāvaṁsa*) and Rādhagupta (*agrāmātya* of Aśoka according to *Divyāvadāna*).

[7] Quoted from Barua, op. cit., Part I, pp. 193–4. The significance of the titles *rājūka*, *prādeśika* and *yuta* is discussed in *SIHC* pp. 435–9.

[8] PE VII, after Barua's tr., op. cit., Part I, p. 181.

CHAPTER III

POLITICAL ORGANIZATION

INTRODUCTORY

AMONG the difficulties faced by the Imperial Mauryas in consolidating their dominion were those arising from the differences of racial composition, speech and manners of the vast population comprised within their Empire. To a great extent the problem was simplified because of two factors tending to produce a kind of cultural unity among large sections of our countrymen since the preceding Age. These were, firstly, the use of the Indo-Aryan group of languages as the vehicle of our sacred as well as secular literature, and secondly, the rise of the Brahmanical sacred law which claimed to govern the social and religious life of the whole community included within its pale. The progress of this cultural unity was not hampered by the emergence of heretical sects with their distinct canons. It was in this milieu that the Mauryas adopted some striking methods of political integration of their territory which may be summarized here under the following heads :

(*a*) Creation of a highly centralized administration under the rule of the Emperor and his officials, its benefits being particularly brought home to the people by the extensive programme of public welfare adopted by Aśoka after his conversion.

(*b*) The appointment of Maurya princes as viceroys in charge of the imperial provinces.

(*c*) Aśoka's adoption of a kind of koine (the so-called 'Monumental Prakrit') as State language of the Empire, accompanied by his almost universal use of a common script (the Brāhmī) for this language.

(*d*) Aśoka's enlightened policy of toleration for all religious sects culminating in his programme of religious syncretism.

(*e*) The wise policy of adaptation to local conditions which is proved by Aśoka's use of the Kharoshṭhī script in the two recensions of his fourteen Rock Edicts in the extreme north-west, and still more in his use of Aramaic and Greek in a recension of the same in the newly discovered inscription from Old Kandahar. This was accompanied by the policy of granting autonomy to the dependent tribes and peoples such as those mentioned by name in Aśoka's inscriptions.

BRANCHES OF POLITICAL ORGANIZATION

We may describe the branches of political organization in the Maurya Empire under the following heads : (1) Security and progress of the State ; (2) Public security and welfare ; (3) State control over popular recreations ;

(4) State-planned foundations of towns and construction of architectural monuments; (5) Status of religious sects and Aśoka's relation with the Buddhist Church and (6) Status of the autonomous peoples and of foreign subjects.

1. SECURITY AND PROGRESS OF THE STATE

The contemporary authorities are completely silent about the steps taken by the Mauryas for the security of their dynasty and their Empire. We have, however, in the *Mudrārākshasa* (a Sanskrit drama of the fifth or sixth century A.D.) a very vivid account of the measures employed by Chāṇakya, reputed to be the chief minister of the first Maurya Emperor, for warding off a determined attack of the allies of the last Nanda ruler on the imperial capital. These measures involved the use of intrigue and treachery as well as political murder in the worst *Arthaśāstra* tradition. It is probably safe to infer that the same ruthless policy was followed from time to time by the Mauryas for consolidating the foundations of their Empire. Even Aśoka in his relations with the foresters followed the policy of punishment of these wild people as a prelude to his grant of the utmost concessions to them (SRE I).

2. PUBLIC SECURITY AND WELFARE

We have seen how the programme of promotion of public security and welfare on a large scale was first adopted by the States of the pre-Maurya period (Part I, Chapter IV). For the century or thereabout preceding Aśoka's conversion to Buddhism our information of the measures adopted by the Imperial Mauryas under this head is remarkably scanty. Only from the above quoted Girnar Rock Inscription of the *satrap* Rudradāman do we learn that a great irrigation-lake was constructed in distant Saurāshṭra by Chandragupta Maurya's provincial governor, and that it was afterwards restored and equipped with conduits by the local authority in the reign of Aśoka. We have a very complete account of the welfare measures adopted by Aśoka after his conversion, which indeed mark an epoch not only in the history of Ancient India, but also of the ancient world. Then was first realized on a grand imperial scale the idea of a Welfare-State which is set forth, however vaguely, for the first time in the records of the preceding period.[2] The two distinctive characteristics of Aśoka's welfare measures, to judge from his inscriptions are, firstly, that they were inspired by the principle of the Emperor's moral obligation towards his subjects and his conception of paternal rule over them, and secondly, that they reflected a spirit of universal humanism based on the Emperor's appreciation of all human values within the recognized pale of Indian civilization.[3] The details of Aśoka's welfare programme may be given under four heads as follows: (a) Measures for promotion of material welfare of subjects. (b) Inculcation of virtuous living among the people. (c) Inculcation of religious syncretism, and (d) Measures for protection of animal life.

(a) *Measures for promotion of material welfare of subjects*

The two lines of promotion of public welfare by State authority that are included in Aśoka's programme of *dharma* are, firstly, the construction of pious and charitable works, and secondly, the grant of medical relief to the people. Both these trends are anticipated in the records of the preceding period. For while the merit of making gifts is emphasized in the texts of the *Dharmasūtras*, and the construction of works of charity is praised in passages of the Pali canon, Kauṭilya provides for preparation of *setus* or embanked reservoirs by the State and by the public with State authority as well as for treatment of people afflicted with epidemic visitations by State physicians. Aśoka's measures under these heads may be thus summarized. He claims in his records (RE II and PE VII) to have planted trees on the roads and to have dug wells for the enjoyment of man and beast. These ways of benefiting the people, we are further told, were adopted by previous kings. In the second place, Aśoka claims to have created (RE II) two kinds of healing arrangements for the benefit of human beings and of dumb animals everywhere throughout his dominions as well as among the *antyas*. As an illustration of the above, we are told that he imported and planted medicinal herbs, roots and fruits. These statements are of unique interest as they contain the oldest references in world-history to the foundation of State hospitals.

(b) *Inculcation of virtuous living among the people*

In the preceding period Brahmanical as well as Buddhist canonists inculcate upon the householders the lesson of observance of their duties towards their superiors, their associates and even their slaves. What is more, such duties are sought to be enforced by legal clauses in Kauṭilya's *Arthaśāstra*.[4] Aśoka's originality lies in two respects. Firstly, he gave the widest scope to the application of the duties. His Law of Piety (*dharma*) included (RE VI) the items of respectful attention to mother and father, to teachers and preceptors and to high personages, seemly behaviour and liberality to friends, associates, comrades and kinsmen, seemly behaviour to slaves and servants, non-slaughter of living beings and non-injury to creatures, seemly behaviour and liberality to *Śramaṇas* and Brāhmaṇas and respectful attention to seniors. Secondly, Aśoka adopted a two-fold programme (PE VII) for the propagation of *dharma* as defined above, namely, that of moral persuasion (*nidhyati*) and regulations for the Law of Piety (*dharmaniyama*). The former is defined as meaning the inculcation of *dharma* (*dharmānuśishṭi*) and the proclamation of *dharma* (*dharmaśrāvaṇa*) and is declared to be superior to the latter. Under the second heading of the regulations for the Law of Piety, we may mention the following select items :

(*i*) In the twelfth year of his consecration the Emperor issued an order requiring the *yuktas*, the *rajjukas* and the *prādeśikas* to undertake a quinquennial circuit for instruction in *dharma* (RE III).

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(*ii*) He ordered the *purushas* (q.v.) to exhort the people and expound his teaching and the *rajjukas* (q.v.) to instruct virtuous people (PE VII).

(*iii*) He ordered *mukhyas* (q.v.) of many classes to work for the achievement of and conformity to *dharma* on behalf of members of the king's family. *Dharma* in this context is explained as comprising the virtues of liberty, truthfulness, purity of mind, gentleness and goodness (PE VII).

(*iv*) In the course of a retrospect in the twenty-sixth year of his consecration Aśoka declared that his *purushas* and *antyamahāmātras* (q.v.) were working for the encouragement of fickle persons in virtuous living and for the enforcement of injunction about protection by piety, provision by piety and guarding by piety (PE I).

(*v*) The *dharmamahāmātras* were required to take up complete protection of virtuous persons. For this purpose they were enjoined to work among all sects for establishing the norm affecting increase in virtue and to work for the welfare and happiness of the virtuous amongst them, to work among various specified groups as well as among the old and destitute persons, 'beggarly Brāhmaṇas' and ascetics, slaves and servants, for their good and happiness and to protect those who were devoted to religion against harassment and molestation (RE V).

(*c*) *Inculcation of religious syncretism*

One result of the great religious movements of the preceding period was the rise of various faiths ranging from various forms of theism to agnosticism and even atheism. It was the supreme merit of Aśoka to have inculcated a kind of religious syncretism based on his appreciation of the fundamental ethical values of all faiths and of the need of fostering the growth of the essence of religions (*sāravṛiddhi*). In two of his edicts (RE VII and VIII) Aśoka announces his policy of toleration for all sects expressly on the ground of their possession of the common virtues of self-restraint and purity of mind. This is accompanied by his deprecation of charities not attended with the above qualities or with gratitude and firm devotion. In another context (RE XIII) Aśoka justified his policy of renunciation of (aggressive) warfare on the ground of possession of a list of common virtues by the Brāhmaṇas, *Śramaṇas* and others. In yet another place, Aśoka compares the two qualities of respect for all faiths and the prospective growth of the essence among them so as to place the latter above the former. The two characteristic methods of implementation of Aśoka's programme are the hortatory and the institutional. In the first place, Aśoka conveys his exhortation (RE XII) for restraint in speech and action and for listening to one another's *dharma* towards the end of becoming versed in many teachings and used to virtuous deeds. In the same context he deprecates the practice of praising one's own sect and disparaging other sects as tending to injure both. In the second place, Aśoka enlists the services of the *dharmamahāmātras* (q.v.), the *stryadhyaksha-mahāmātras*, the *vrachabhūmikas* and other officials for the same purpose (RE XII). This measure follows the spirit of a *Dharmasūtra* text (Vas. IV 198) requiring the king to appoint religious preachers for the benefit of his female establishment. With this may be contrasted the spirit of Kauṭilya's *Arthaśāstra* (I 20) investing a class of *adhyakshas* with purely inquisitorial functions over the king's harem.

(*d*) *Measures for protection of animal life*

The policy of State protection of animal life is laid down in outline in Kauṭilya's work. (See Chapter IV s.v. *Protection of animal life.*) Aśoka's measures under this head, which are quoted (PE VII) as instances of his regulations for the Law of Piety may be summarized as follows :

(*i*) He prohibited the sacrificial slaughter of animals as well as the evil type of *samājas* or convivial gatherings which were attended with the eating of meat and so forth (RE I).

(*ii*) He completely prohibited the slaughter of specified classes of birds, beasts and fishes and in general of these which were of no use and were not eaten by men (PE V).

(*iii*) He prohibited killing fishes in fish preserves and animals in the elephant forests on certain fixed days of the year : the castration and the branding of other specified creatures were prohibited on the same days PE V).[5]

3 AND 4. STATE CONTROL OVER POPULAR RECREATIONS—STATE-PLANNED FOUNDATIONS OF TOWNS AND CONSTRUCTION OF ARCHITECTURAL MONUMENTS

We have seen above (Part I, Chapter IV) that State control over popular recreations was a well-established institution in the preceding period, such control being motivated in the *Arthaśāstra* of Kauṭilya by the objectives of ensuring a high standard of those recreations, of restricting their operations in the interest of decency, and of financial gain. Coming to the Maurya period, we have the first known historical instance in the reign of Aśoka. In RE I he tells us that he issued a general order of prohibition against *samājas* or convivial gatherings on the ground of their being open to many defects while making an exception in favour of some *samājas* which he regarded as good. To judge from the context, the reason for his prohibition of the first type of *samājas* was that they were attended with the killing of animals for food. It would thus appear that Aśoka's ban was inspired by respect for animal life.

In the first Part of this work (Chapter IV) it has been shown that the planned foundation of the metropolitan town is hinted at in a text of *Āpastamba-Dharmasūtra*, while it is prescribed on a more elaborate scale in Kauṭilya's *Arthaśāstra*. Kauṭilya likewise prescribes planned constructions of various official buildings. The common characteristic of these foundations and constructions is their utilitarian character. In the Maurya Age we have for the reign of Chandragupta Maurya the most famous example of his construction (or reconstruction) of the imperial capital and palace at

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Pāṭaliputra. The latter is described by Megasthenes, an eye-witness, as equalling the splendour of the imperial palace of the Achaemenids at Persepolis. His judgement has been confirmed by the discovery of 'the hall of a hundred columns' by the excavators of the ruins of Pāṭaliputra in recent times.[6] Aśoka's monuments and other works of art practically mark the beginning of the history of Indian art. What distinguishes many of Aśoka's monuments is their colossal scale involving, in particular, the transport of huge blocks of stone over long distances. Another equally notable characteristic is their complete mastery over material, the hardest granite being polished like a mirror. These features furnish an indirect evidence of the supreme organizational efficiency and technical excellence bordering on perfection of the Maurya administration in Aśoka's time.

5. STATUS OF RELIGIOUS SECTS—AŚOKA'S RELATIONS WITH THE BUDDHIST CHURCH

One of the distinctive features of the preceding period was the rise of numerous religious sects. The variety of such sects in the times of the Mauryas is proved not only by the somewhat confused description of Indian society by Megasthenes but also by the direct testimony of Aśoka's inscriptions.[7] As regards the attitude of the State towards the religious sects in the preceding epoch it has been shown elsewhere (Part I, Chapter IV) how the *Dharmasūtras* created a Brahmanical pattern-State with attendant disabilities on non-orthodox sects, and how it influenced the *Arthaśāstra* polity. Coming to the Maurya period, it appears that the two leading sects, namely the Brahmanical and the Buddhist, equally held the highest place in the social system. In Megasthenes' enumeration of castes, the philosophers forming the first and the most respected class are said to consist of the two divisions called *Brachmanes* and *Sarmanes*. The late Jaina canonical tradition credits Chandragupta Maurya with patronage of the faith ending in his conversion to Jainism. But we have no information of the resulting status of the Jainas in the Mauryan polity. Aśoka's conversion to Buddhism, as we learn from the evidences of his inscriptions and monuments, led him to undertake a zealous propaganda for the spread of the faith. Nevertheless, he followed the policy of toleration for all sects. In particular, he inculcated equally honourable treatment of the Brāhmaṇas and the *Śramaṇas* as an essential item of his Law of Piety. The same enlightened policy is illustrated in his dedication of cave temples to the sect of the Ājīvikas (Barabar cave inscription of Aśoka).

We learn from the early Buddhist tradition how the Fathers of the Church tended as a rule to submit to the State authority and guidance even in specific matters of doctrine and discipline. But the right of maintaining internal discipline of the Church was reserved by the rules of the Order for the chapter of monks assembled for the occasion. This borderline between the authority of the State and the Church was overstepped by Aśoka in his zeal for the faith after his conversion to Buddhism. From the Kauśāmbī (or Allahabad) Pillar Edict of Aśoka we learn that the Emperor issued an order for keeping the *saṁgha* entire, and for the punishment of the schismatic monk or nun with disrobing and expulsion : this order was to be conveyed by the *mahāmātras* at Pāṭaliputra (or according to another interpretation, at Kauśāmbī) among the community of monks and nuns, upon the highways, and among the lay worshippers on every fast-day. It is evident that Aśoka's act was a supreme instance of the assertion of State authority over the Buddhist Church on a point of purely internal discipline.[8]

6. STATUS OF AUTONOMOUS TRIBES OR PEOPLES AND OF FOREIGN SUBJECTS

We have seen how the Maurya Empire at its greatest extent consisted of a number of autonomous tribes or peoples. We have no information of the status of these groups under the imperial rule. But it is probable that they were bound to pay tribute and render military service in time of need for the benefit of the Empire, while they enjoyed a measure of autonomy in their internal administration. It is interesting to observe that Aśoka sent deputations of officials of the central government for the purpose of moral and religious propaganda among these dependent peoples.

One consequence of the cession of the territory to the west of the Indus as far as the Hindu Kush by Seleucus to Chandragupta Maurya was that a large number of Greeks and Iranians living within that area were for the first time brought under Indian rule. It seems almost certain that these foreigners were granted full toleration of their laws and customs by the Maurya Emperors. The attitude of Aśoka, in particular, is indicated in his official recognition of their language and script. For we know that the recently discovered recension of his famous fourteen Rock Edicts at Old Kandahar is written both in the Greek and the Aramaic language as well as script current in that region.

CHAPTER III

NOTES

[1] The above edict is thus summarized by Barua, *Aśoka and his inscriptions* (Part I, p. 162). 'He severely punished them and subsequently tried to conciliate them by an expression of regret, by entreating them and making them understand the iniquity of their actions, by assuring them that he would forgive them if they did not exceed the limit of his patience and were sorry for their misconduct as well as by reminding them of the king's might.' 'Be judicious and do not get yourselves killed.'

[2] Cf. the description of the characteristics of a welfare-working king in *Āpastamba-Dharmasūtra* (II 10.25.15). For faint anticipations of Aśoka's welfare programme cf. *KA* I 5 (praise of a ruler devoted to the welfare of all beings) and *Jāt*. No. 4, p. 338 (mythical Emperor said to have granted boon of freedom to all beings).

[3] For Aśoka's sense of moral obligation towards his people, cf. RE VI ('And whatever work I take up to do — and why ? — is for the reason that I may discharge my debt to beings, so that I may make some happy and that [they] may win heaven in the

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world hereafter'). For Aśoka's spirit of universal humanism cf. SRE i ('All men are my children. Just as I desire for my children that they may be associated with all kinds of welfare and happiness both in this world and in the next, so also I desire the same for all men.') and RE xiii ('There live everywhere Brāhmaṇas and (Buddhist) ascetics, people of other (religious) sects and householders, among whom these (virtues) are practised, namely, service (or hearkening) to superiors (or elder brothers), hearkening to mother and father, hearkening to preceptors and proper behaviour towards friends, acquaintances, comrades and relatives, as well as to slaves and servants and also steadfast devotion (to duties). There is no such country except that of the *Yavanas*, where do not live communities (or groups of people) like these Brāhmaṇas and *Śramaṇas*. There is also no such country where, amongst men, does not exist (religious) faith in some one sect or another.') The refs. in the *Dharmasūtras* may be found in Kane, *H of D*, Vol. ii, Part ii, Chap. xxv. For other refs. see *SN* i 38, *KA* ii 1, iv 3.

[4] On a Buddhist canonical list of duties of the pious householder, see *Sigālovāda-Sutta* (*DN* iii 191–3) which 'enumerates in serial order five typical modes of discharging one's debt to mother and father, to one's teachers and preceptors, to the *Śramaṇas* and the Brāhmaṇas, to one's friends, associates, comrades and relatives, to one's slaves and servants' (Barua, *Aśoka and his inscriptions*, Part i, pp. 269–70). The *Maṅgala-Sutta* with the *Mahāmaṅgala Jātaka* in its background is but 'a poetical summary' of the above (op. cit., p. 268). For the ref. in *KA* see Part I, Chap. iv s.v. *Control of family life*.

[5] In the above the tr. of some difficult terms and phrases are after B. M. Barua who gives (op. cit., Part i, pp. 225–82) an exhaustive, but somewhat different, interpretation of Aśoka's *dhamma* and its implications.

[6] Megasthenes further describes the size and fortification as well as the drainage system of Pāṭaliputra in Chandragupta Maurya's reign. The city, we are told, 'formed an oblong 80 stades by 15 stades (9$\frac{1}{5}$ miles by 1 mile 1,270 yards) surrounded by a wooden palisade, with loopholes for the archers to shoot through, and outside the palisade a ditch, 30 cubits (about 60 feet) deep by 6 *plethra* (200 yards) wide, which served both for defence and as a public sewer' (*CHI* Vol. i, p. 411).

[7] Cf. Megasthenes' description of the groups *Brachmanes* and *Sarmanes* constituting his first Indian caste (the caste of philosophers). Cf. also his ref. to the current Indian ascetic practice of remaining for the whole day motionless in a fixed attitude, which reminds us of the Nirgranthas or Jainas. For refs. to the *pāsaṁdas* or sects in Aśoka's inscriptions, see RE xii and xiii.

[8] The argument (Barua, op. cit., Part i, pp. 245–6) based on *KA* iii 16, iv 8 and so forth that Aśoka's act was in accordance with the traditional authority of kings or States to punish criminal priests and runaways is unconvincing. There is in this case all the difference between the punishment of individuals and a general order relating to ecclesiastical discipline. Still less satisfactory is the argument (R. K. Mookerjee, *Aśoka*, p. 195n) that Aśoka's order was a counterpart of the Brahmanical law prescribing banishment for creating or fomenting dissensions in village councils and assemblies.

CHAPTER IV

ECONOMIC ORGANIZATION

OUR sources of information for the economic organization of the Maurya Empire like those for its political organization are scanty and very unevenly distributed. They consist of some scattered observations of Megasthenes and of historical traditions of different degrees of value. It may be presumed that the advanced economic organization of the preceding Age which has been sketched in Part I of this work (Chapter v) was continued in its main features under the rule of the Maurya Emperors. Whatever that may be, we may summarize the slight information available on this subject for the Maurya period, under the following heads : 1. Tenure of agricultural lands ; 2. Economic organization of the rural area and the status of cultivators ; 3. Economic organization of the urban area ; 4. State capitalism ; 5. Currency and coinage ; 6. Routes and communications.

1. TENURE OF AGRICULTURAL LANDS

According to a well known generalization of Megasthenes the king in India was the owner of all lands. In the period to which Kauṭilya's *Arthaśāstra* refers, however, we have seen (Part I, Chapter v) that the cultivation of agricultural holdings by their owners went hand in hand with the lease of fields belonging to the State-owned waste lands and agricultural farms, the peasants in the former case paying a share of the produce (*bhāga*) as well as the agricultural cess (*bali*). From the fact that the terms *bhāga* and *bali* are applied to the State receipts from a village in one of Aśoka's records (namely, his Rummindei Pillar inscription), it may safely be inferred that the institution of agricultural holdings of peasant-proprietors was continued during the Maurya period probably along with that of State farms to which Megasthenes evidently refers.[1]

2. ECONOMIC ORGANIZATION OF THE RURAL AREA AND THE STATUS OF CULTIVATORS

Megasthenes, describing the functions of the rural officers (*agoranomoi* or 'market commissioners') in the reign of Chandragupta Maurya, observes that they 'keep rivers improved and the land measured as in Egypt and inspect the closed canals from which the water is distributed into conduits in order that all may have an equal share in it', and further, that they 'collect the taxes and superintend the crafts connected with land — those of woodcutters, carpenters, workers in brass and miners'.[2] In the above, the identification with the Ptolemaic pattern of rural administration is completely misleading. The annual measurement of land on an official level for determining

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the ownership of fields and their liability to revenue which was vital for Egypt's public economy was much less necessary for India. In the same way the official supervision of the distribution of water from canals, which was so essential in Egypt had much less use for India (see below, Chapter viii). Leaving the Egyptian analogy out of account, we may seek to interpret the statement of Megasthenes quoted above, in the light of the Indian evidence (Part I, Chapter iii). From Kauṭilya's *Arthaśāstra* (ii 28) we know that the supervision of water-ways was the task of a special officer called the *nāvādhyaksha* (officer-in-charge of shipping and navigation) who was entrusted with general control over the riverine traffic, hiring of the royal boats, collection of revenue and so forth. We are further told (ibid. ii 35) how the *gopas* (the officers-in-charge of five or ten villages) were required to carry out an elaborate survey of the villages and the preparation of statistical lists of the village lands, tenements and families. We also learn (ibid. iii 9) that there were special clauses of the law for ensuring the equitable distribution of water from the *setus* or irrigation-works by the villagers, although no reference is made to an official charged with this task. From the above comparison it is probably safe to infer that Chandragupta Maurya maintained the *Arthaśāstra* pattern of village survey and census under the guidance of appropriate rural officers. These officers again may have been charged with the additional function of looking after the distribution of the canal waters.

From Megasthenes' description of the class of farmers (ranked as second in his list of 'seven Indian castes') it appears that they were 'not only the most numerous but also the most highly respected class since they were exempted from military service', and that they enjoyed the right of freedom in their farms.[3] From the above it follows that the cultivators in Chandragupta's time were freemen, unlike those of Ptolemaic Egypt who had the status of serfs.

3. ECONOMIC ORGANIZATION OF THE URBAN AREA

According to Megasthenes' description the *astynomoi* ('the city commissioners' or 'the magistrates in charge of cities') in the time of Chandragupta Maurya were divided into seven Boards of which three concern us here. The first Board had to look after the arts of handicraftsman : the fourth Board was in charge of sales and barter and had to look after 'measures and the fruits of the season' so that the latter might be sold by stamp : the fifth Board had charge of the work done by artisans.[4] Coming to the parallel account of Kauṭilya which has been given elsewhere we find that the control of artisans and traders in urban as well as in rural areas by means of elaborate laws and regulations was entrusted (*KA* iv 1) to benches of three *pradeshṭās* for the purpose of protection of the public against the artisans' and traders' malpractices. Another officer called the *paṇyādhyaksha* was charged (ibid. ii 16) with general control of the internal and the external trade in State as well as private merchandise. Still another officer called the *saṁsthādhyaksha* (ibid. IV 2) controlled the sale of old merchandise and bulk purchases in food-grains. A fourth officer called the *pautavādhyaksha* (ibid. II 20) had charge of the weights and measures. Lastly, the *antapāla* (ibid. II 21) fixed his official stamp on merchandise on its way to the capital city and this was verified by the *śulkādhyaksha* on the arrival of the merchandise at the city custom-house. From a comparison of Megasthenes' data with the above we may probably infer that the above mentioned officers (or their equivalents) continued to function within the urban areas. This comparison also suggests the continuance of the above quoted practice of fixing the official stamp (no doubt for the levy of customs duties thereon) on goods brought before the public for sale.

4. STATE CAPITALISM

The working of State industries and trades as well as of State farms was a well-established institution in the preceding period (Part I, Chapter v). Megasthenes in his somewhat confused description of the class of artisans and traders (his 'fourth Indian caste') observes that while they in general paid tribute to the State, the armour-makers and the ship-builders received wages and provisions on a prescribed scale. From the above it follows that there were in Chandragupta Maurya's time ordnance factories for the manufacture of armaments as well as ship-building industries run by the State. It is possible that there were other State industries and trades of the type mentioned by Kauṭilya.

5. CURRENCY AND COINAGE

It is to the Maurya period that we have to assign India's first imperial system of coinage which had a purely indigenous origin. This consisted of two classes of the so-called punch-marked silver coins (classes 2 and 6, after Allan's classification) struck on a uniform standard though differing in style and fabric. The arguments advanced by Allan for assigning these coin-types to the Maurya period are, firstly, that they are closely connected and are regularly associated in finds over a very wide area ; secondly, that they are mostly of the light weight of between 51.5 and 52.5 grains ; and thirdly, that they were in circulation in the second and the third and possibly also in the fourth centuries B.C.[5] The coins have no portraits or even legends, but a group of five symbols occurs on their obverse and other symbols on their reverse. It has been plausibly argued that the constant symbol on the obverse (the sun) represented the highest official (perhaps the king) and the next commonest (the various forms of the 'six-armed symbol') stood for the highest official next to him.[6]

The large quantities of copper coins which have been assigned to the Maurya period present problems that have not yet been solved. These coins are broadly divided into two groups, namely, the uninscribed cast coins and the punch-marked coins. As regards the former group as many as nineteen varieties have been distinguished by Allan. This indicates that multiple

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standards were in use in the different regions. The area of their circulation comprises not only the provinces now called Uttar Pradesh, Rajasthan and Madhya Pradesh, but also parts of Bihar and West Bengal. As for the second group their great variations in weight probably indicate various denominations of the standard *kārshāpaṇas* and the use of more than one standard in the different regions.[7]

A few words may be said in this connexion about the local coins of Magadha in the Maurya period. It has been suggested by a competent authority[8] that a series of punch-marked copper coins with five symbols on the obverse, which were discovered sometime back in a village in Bhagalpur district of Bihar belong to this category. If this suggestion may be accepted as correct, it would indicate a deliberate attempt of the Mauryas to issue the lowest denomination of their coinage on a provincial basis.

6. ROUTES AND COMMUNICATIONS

In Part I, Chapter v of this work we have seen how the evidence of the early Buddhist literature points to a series of extensive trade-routes connecting one end of the country with the other. It has also shown how the State in Kauṭilya's *Arthaśāstra* undertook the construction of land- and water-ways and the opening of trade-routes in newly colonized rural areas, while it provided for the construction of roads of different width for different purposes within the urban area. By the time of Chandragupta Maurya, as we learn from Megasthenes, a great royal road had been built for linking Pushkarāvatī, beyond the Indus river, with Pāṭaliputra, the imperial capital. Testimony to the extreme care bestowed by the Mauryas upon road-making is borne by Megasthenes' further observation that the rural officials (*agoranomoi*) were required to make roads with pillars at every ten stadia to show the distances. On the basis of the above facts we may perhaps claim for our people during the pre-Maurya and Maurya periods the right to rank among the great road-building nations of the ancient world.

FINANCE

The Mauryas inherited a well-developed financial system founded on the levy of taxes on agriculture, industry and trade, and on utilization of supplementary sources of revenue in various ways. It may be presumed that the same system was continued and developed under the rule of the Imperial Mauryas. The slight information available on this point may be summarized under the following heads :

1. LAND-REVENUE OR LAND-TAX

In the somewhat confused account of Megasthenes in the two versions of Strabo and Diodorus the cultivators are described as paying rental for their lands as well as one-fourth of the produce to the king.[9] This probably means that they paid one-fourth of the produce as rent for their fields. This proportion, as we learn from Kauṭilya's *Arthaśāstra,* was reserved for levy upon the cultivators at the time of the king's financial stress. If Megasthenes' statement were to be accepted as correct, it would follow that the normal rate of the Maurya land-revenue was equal to the extraordinary rate in Kauṭilya's *Arthaśāstra.* Independent evidence of the high rate of land-revenue under Maurya rule is found in a record of Aśoka already mentioned, namely the Rummindei Pillar inscription. Here we are told that in commemoration of his visit to the birth-place of the Buddha, the Emperor exempted it from *bali* (q.v.) and made it liable to one-eighth of the *bhāga* (q.v.). From this it follows that not only were the agricultural lands liable to cesses in Aśoka's time, but that the normal rate of the land-revenue was sufficiently high to make its reduction to the rate of one-eighth count as a great concession.

2. TAXES ON INDUSTRY AND TRADE

Describing the class of artisans and traders (his so-called fourth Indian caste) Megasthenes says that they paid tribute to the State. In the same context we are told that ships are let out to sailors and merchants on hire by the admiral. In the accounts of the *Dharmasūtras* the traders are similarly held to be liable to various tolls and duties, while Kauṭilya in his *Arthaśāstra* requires the *nāvādhyaksha* or the officer-in-charge of water-ways to collect hire for passenger and cargo boats belonging to the State (see above pp. 61, 114). This comparison suggests continuation of the above taxes and royal dues in Chandragupta Maurya's reign. As regards the class of herdsmen and hunters (forming his so-called third Indian caste) Megasthenes' account has been handed down to us in two contradictory versions. According to the version of Arrian they lived as nomads and paid taxes for their animals. In the version of Strabo they received a proportionate allowance of grain from the king.[10] The *Dharmasūtras* mention a tax in kind payable by the owners of domestic animals, while the *Arthaśāstra* allows the king a share of the game captured by the hunters. Simultaneously, the *Arthaśāstra* states that herdsmen in the service of the State cow-pens received wages and provisions. (Part I, Chapter v). This comparison seems to prove the continuance of the old levy in kind on herdsmen and hunters along with the maintenance of State herds and studs in Chandragupta Maurya's reign. Within the urban area the sixth Board of the municipal commission is stated by Megasthenes as collecting the tenth part of the price of all things sold, evasion of this tax being punished with death. In Kauṭilya's account it has been shown (Part I, Chapter vi) that customs duties were levied by the *śulkādhyaksha* upon all merchandise after arranging for its sale by public proclamation at the city toll-house. But no fixed rate is prescribed for these duties, while evasion by the merchants is punished with a heavy fine and nothing more. From this comparison it would follow that Chandragupta Maurya continued the older procedure for the levy of customs duties upon the merchants at the city toll-house, only replacing the single officer by a municipal committee. Again, as in the former period, goods were allowed to be sold after the official stamp had been fixed on the same. On the other hand capital punishment was substituted for the pecuniary fine in respect of the offence of tax evasion. In the context of his description of the functions of the fourth Board, Megasthenes further observes that the same man could not barter more than one commodity without paying a double tax. This probably means that different kinds of merchandise were assessed at different rates.

EXTRAORDINARY REVENUE

One branch of finance developed in the *Arthaśāstra* system related to the raising of extraordinary revenue in various ways during the king's financial emergency (Part I, Chapter VI). In particular, we are told how funds should be collected by setting up fictitious objects of worship for appealing to the popular superstitions. A reminiscence of this method has been preserved in the Pāṇinian grammatical tradition. From a passage in Patañjali's *Mahābhāshya* (IV 1.78) we learn that the Mauryas raised gold (coins) by manufacturing objects of worship. If this tradition has any historical basis, it would appear that the Mauryas had recourse to unscrupulous methods of replenishing the treasury in times of financial crisis on the lines suggested by Kauṭilya.

STATE TREASURIES AND STORE-HOUSES

We have seen elsewhere (Part I, Chapter VI) that the foundation of State treasuries (*kośāgāra*) and store-houses (*koshṭhāgāra* or *bhāṇḍāgāra*) for storage of State receipts in kind or in cash was a feature of the preceding period. These offices were placed in charge of appropriate State officers, namely, the *kośādhyaksha* and the *koshṭhāgārādhyaksha*. Their function comprised not only the careful preservation of the king's receipts under different heads, but also their disbursement to other departments. Similar institutions are known to the Buddhist historical tradition relating to the reign of Aśoka. In different passages of the *Divyāvadāna* (a work belonging to the second century A.D., but containing older traditions) we are introduced to a *bhāṇḍāgārika* and a *kośakoshṭhāgārika* who were in charge of the imperial stores in Aśoka's time. This last officer is stated, in the longest story, to have been prevented by Aśoka's grandson and heir-apparent, Samprati, from bestowing treasures upon the *saṁgha* as ordered by the Emperor.[11] From this it would seem that his function included, as in older times, the disbursement of the royal revenues.

CHAPTER IV

NOTES

[1] For discussion of the ref. in Rummindei Pillar inscription, see *HRS* p. 171.

[2] Strabo, in H. L. Jones's version, Vol. III, p. 83.

[3] Ibid. p. 69.

[4] Ibid. pp. 83–5, *astynomoi* tr. as 'city commissioners' (Jones) and as 'magistrates in charge of cities' (Falconer and Hamilton).

[5] On the classification of the punch-marked silver coins see Allan, *Catalogue of the coins of Ancient India* (British Museum, 1936). Classes 2 and 6 in this series consist of the largest number of sub-groups, namely 11 and 18 respectively (ibid. pp. lxx, clxii). On the chronology of the above two classes of coins see ibid. (Introduction, pp. lxx and clxii). Allan's view of the relation of Maurya to Persian coinage (ibid. p. clxiii) namely, that the Mauryas adopted the idea of coinage from Persia and that this coinage was struck on a standard which was either a native Indian standard slightly higher than the Persian or the latter slightly reduced, has not found general acceptance.

[6] By Allan, op. cit., Introduction, p. lxxii.

[7] The above is an abstract from Allan (op. cit., Introduction, pp. lxxiv–lxxix) supplemented by some slight corrections in J. N. Banerjea, *The development of Hindu Iconography*, pp. 117n, 154n.

[8] This is the suggestion of E. H. C. Walsh in his article 'An examination of 58 silver punch-marked coins found at Gorho-Ghat' in *Journal of the Behar and Orissa Research Society*, December 1919, pp. 463–94.

[9] The relevant extracts are quoted below. 'The whole of the country is of royal ownership and the farmers cultivate it for a rental in addition to paying a fourth part of the produce' (Strabo, in Jones's tr., Vol. VII, p. 69). 'The rentals of the country they pay to the king. . . but apart from the rental they pay a fourth part into the royal treasury' (Diodorus).

[10] See Chinnocks' tr. of Arrian, Vol. II, p. 359 and Jones's tr. of Strabo, Vol. VII, p. 69.

[11] See *Divyāvadāna*, Cowell and Neil's ed., pp. 230ff.

CHAPTER V

LAW AND JUSTICE—POLICE AND JAILS

A. LAWS AND THEIR ADMINISTRATION IN THE MAURYA AGE

The Maurya period fills a gap between two great epochs of law-making in our country's ancient history, namely, the epoch of the principal *Dharmasūtra* and the *Arthaśāstra* codes of State law on the one hand and the epoch of Manu's code on the other. Our sources of information for the Maurya period are as usual very scanty and unevenly distributed. For they consist of a few references in Megasthenes and in the Aśokan inscriptions. The available information may be thus summarized.

As regards the civil and criminal law, Megasthenes mentions some specific penalties for different offences as being in vogue in his time. Giving false evidence and maiming a person were punished with mutilation: death was the penalty for causing the loss of an eye or the hand of a craftsman. The evasion of the sales tax was likewise punished with death. It will be seen that this list comprises offences against person and breach of fiscal regulations as well as misbehaviour at judicial trials. The above follows with slight additions and alterations the corresponding clauses of the State law known to the preceding period (Part I, Chapter vii). Coming to the reign of Aśoka we learn that slavery continued to be recognized in law under his rule even after his conversion to Buddhism, the Emperor contenting himself (as in RE xi and PE vii) with inculcating the kind treatment of slaves as well as servants upon his subjects. From another record (PE iv) we gather that Aśoka continued the death penalty for crimes and that he merely softened its rigour by giving three days' respite to the convicts before their execution. It follows from the above that there was no great break with the past branches of civil as well as of criminal law in Mauryan times.

We may pause here to discuss a few current views about the significance of Aśoka's issue of his well-known executive orders or edicts. According to the first view Aśoka's regulations were 'not a source of law but rather its support', since the law was held to be 'the national growth of consensus and communal life'. Similarly, we read that the royal edicts were 'merely declaratory and not innovative'. According to the second view[2] Kauṭilya introduced an un-Indian exaltation of royal authority by which the royal decree was exalted above all other sources of law in its superior validity: this was probably influenced by the development of royal authority under the Seleucids and the Ptolemies. According to the third view, the law-making organ of the Aśokan State comprised the king and his council of ministers, the initiative and the right of final approval lying with the former. None of these views appears to be above criticism. In the first place it is altogether a gratuitous assumption to assert that the groups of law for the Maurya period or for any other period of Ancient Indian history were 'a natural growth'. On the contrary the well-known bodies of law were either laid down by the Brāhmaṇa canonists in the *Dharmasūtras* as well as in the *Dhamaśāstras* or were prescribed by the masters of the science of polity, and they were as such profoundly influenced by the characteristic ideas of their authors about society and the State. Aśoka's edicts did not support the existing law but supplemented the same, and so far from being declaratory introduced such innovations as the ban on certain types of *samājas* (*ante*). In the second place, the view that Aśoka's edicts involved exaltation of the royal decree above all other sources of law appears to be based upon a misunderstanding of the relevant texts of Kauṭilya's *Arthaśāstra* (III 1). We have explained these texts to mean that the State law is held by Kauṭilya to be derived from the sacred canon, the current (*Arthaśāstra* ?) law, usage and reasoning, while the king's judicial decree is taken by him to over-ride all other modes of adjudication of suits. This interpretation of the source of the State law, it has further been shown, so far from being non-Indian was adopted and developed in the later *Smṛitis* (see *IPI* pp. 113–15, 313–15, 413–14). A Seleucid inspiration for Kauṭilya's accompanying double rule of interpretation in the event of a conflict of laws is in the circumstances stated above as well as on general grounds extremely improbable.

In the third place, there is no warrant for taking the king with his council of ministers to constitute in Aśoka's time the law-making organ of the State. In truth, all the Aśokan edicts were issued by the Emperor without the slightest reference to his ministers. What slight influence was exercised by the ministers upon Aśoka's administration has been sought to be shown by us elsewhere (*SIHC* pp. 414, 416ff).

B. ADMINISTRATION OF JUSTICE

The preceding period of independent States, as we have seen elsewhere (Part I, Chapter VII), left a legacy of duly constituted State Courts with regular rules of procedure. The King's Court stood at the head of the judiciary, while a separate staff of judges held jurisdiction over the urban and the rural areas. We may summarize the slight information available for the Maurya period under the following heads :

1. THE KING'S COURT

Describing the administration of Chandragupta Maurya, Megasthenes tells us that among the occasions for the king's leaving his palace was his visit to the Court, where he spent the whole day on hearing suits of the public to the end. From this it follows that the king was required as in the preceding period to decide suits in person at the court-house. We have, however, no information about the constitution or the procedure of the King's Court.

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2. THE RURAL JUDICIARY

In one of Aśoka's records (PE IV) we are told that he delegated complete authority for the award of rewards and punishments to his *rajjukas* (q.v.), insisting merely that there should be uniformity of judicial procedure (*vyavahārasamatā*) and punishment (*daṇḍasamatā*). This last clause is illustrated in the immediately following lines by the Emperor's order for the grant of three days' respite to condemned criminals lying in prison under sentence of death. Presuming the equivalence of Aśoka's *rajjukas* in this context to Kauṭilya's *dharmasthas* (Part I, Chapter VII), we may suggest that Emperor's bold experiment was inspired by a reaction against the current tendency towards excessive control over the administration of justice in the rural area by the central government.

3. THE TOWN JUDICIARY

In one of his famous inscriptions (SRE I) Aśoka begins by earnestly reminding the town judges (*nagaravyavahāraka*) at Tosali of their employment over thousands of living beings so that they may secure the affection of all men, and while adjuring them to avoid certain mental inclinations leading to unjust imprisonment, he requires them to act all the time with the intent that the townsmen may not suffer restraint or torture without cause. The Emperor concludes by declaring his resolve to send one or more qualified *mahāmātras* every five years, so that they may act as desired by him. In a postscript the viceroys at Ujjayinī and at Takshaśilā are similarly required to send out *mahāmātras* on tour for these purposes every three years, so that they may carry out the king's order without neglecting their own duties. The conclusions which may be drawn from the above data appear to be the following. Firstly, the town judiciary was continued under the rule of the Mauryas under practically the same designation (*pauravyavahāraka*) as that of Kauṭilya's *Arthaśāstra*. Secondly, the town judges had the right of inflicting the penalty of imprisonment upon criminals, and what is more, they used to apply judicial torture on the Kauṭilyan lines, whenever it was held to be justified. Thirdly, Aśoka undertook the experiment of entrusting *mahāmātras* or the higher executive officials throughout the Empire with the task of invigilation of the town judiciary by arranging for their periodical deputation for that purpose. This last was the Maurya equivalent of the Kauṭilyan institution of invigilation of corrupt *dharmasthas* and *pradeshṭās* by the *samāhartā* (Part I, Chapter VII).

C. POLICE ORGANIZATION

The period of independent States was marked by the development of a composite police organization, which consisted of two branches, namely, the regular and the secret police. Both these branches must have been continued under the Mauryas, but the available information applies chiefly, if not exclusively, to the working of the secret police. For the reign of Chandragupta Maurya we have the statement of Megasthenes that the *ephors* ('inspectors') or *episkopoi* ('overlookers') formed the sixth Indian caste. Only the most qualified men, we are told, were recruited for this service and they were warned against submitting false reports; they were divided into the groups 'city inspectors' and 'camp inspectors' meaning that they were employed on espionage work among the civilian as well as the military population: they did not scruple to use courtesans as their associates.[4] Comparing the above description with that of Kauṭilya (Part I, Chapter IX), we can conclude that the Mauryas followed the *Arthaśāstra* tradition in four respects. These were careful recruiting of spies, country-wide espionage, precautions against false reports by the spies, and the spies' enlistment of the services of loose women. It is probable that the Mauryas employed espionage likewise for the other purposes mentioned by Kauṭilya such as public propaganda, smooth working of fiscal and other departments, and suppression of enemies of the State.

D. JAIL ADMINISTRATION

The Mauryas inherited the institution of a jail administration from the preceding period (see above, pp. 140–1). This was continued and developed under their rule. We may mention here three aspects of jail administration, which are indicated in Aśoka's inscriptions. Firstly, the officers called *dharma-mahāmātras* ('Censors of the Law of Piety') were charged with the duty of protecting the prisoners and releasing those meriting the same. To quote the words from RE V, they were required to protect the prisoners against molestation, and to grant them release on the ground of their having been burdened with many children or having been instigated by others or being old. Secondly, Aśoka instituted a regular jail delivery on each anniversary of his coronation. This resulted in twenty-five jail deliveries in the course of as many years of the Emperor's reign (PE V). Thirdly, Aśoka granted three days' respite to prisoners under sentence of death 'either to give a chance to their kinsmen to have their cases reviewed for sparing their lives or at least to enable them to observe a religious fast and offer gifts to prepare them for their deaths' (PE IV). A comparison of the above with the parallel account of Kauṭilya (Part I, Chapter VII) proves that Aśoka continued the humane regulations of the *Arthaśāstra* for the administration of jails and, in particular, its arrangement for the release of prisoners periodically and in special circumstances. To the above was added the creation of a special official staff for the enforcement of the regulations, as well as for the relaxation of judicial sentences for capital punishment.

CHAPTER V

NOTES

[1] R. K. Mookerjee, *Aśoka*, p. 47; K. V. Rangaswami Aiyangar, *Rājadharma*, p. 133.

[2] K. A. N. Sastri, *Comprehensive History of India*, Vol. II, pp. 51–2, repeating his statement in *Nandas and Mauryas*, pp. 174–5.

[3] Barua, *Asoka and his inscriptions*, Part I, pp. 133–40, 152.

[4] See the version of Strabo in tr. by Jones, Vol. VII, p. 81 and by Fálconer and Hamilton, Vol. III, p. 103.

CHAPTER VI

PROVINCIAL AND LOCAL GOVERNMENT

THE preceding period of independent States left to the Mauryas the legacy of an advanced system of local administration comprising the creation of a separate staff of officials (or a chain of such officials) for the administration of the rural and the urban areas respectively. The foundation of an expanding Empire by the Mauryas led necessarily to the development of this system. The evidence, as usual, is scanty and unevenly distributed, as it consists mainly of the testimony of Megasthenes and the references in Aśoka's inscriptions.

PROVINCIAL GOVERNMENT

The annexation of north-western and southern India (outside the region of the Tamil States) to the Maurya Empire under the first two Emperors of the dynasty must have led to the formation of a number of imperial provinces. Prince Aśoka is stated in the later historical tradition to have served as viceroy under his father at Ujjayinī (the capital of the western province) and at Takshaśilā (the capital of the north-western province). A southern province with its capital at Suvarṇagiri was already in existence before Aśoka's time. To the above was added the eastern province of Kaliṅga with its capital at Tosali after Aśoka's conquest of that territory. We know from Aśoka's inscriptions (SRE II, MRE I) that the imperial princes (*kumāras* or *āryaputras*) were selected as viceroys for these four provinces. The home province with its capital at Pāṭaliputra was evidently under the direct administration of the Emperor. The Maurya organization of provincial administration is the first known instance of its kind drawn from our ancient history. Two features of this administration are known from Aśoka's inscriptions. Firstly, the viceroy and the *mahāmātras* or high officials at the headquarters constituted the provincial governments; secondly, the latest viceroyalty of eastern India stood in a class apart from the older viceroyalties. For we find from the combined evidence of SRE I and MRE I, firstly that the Emperor's directives for the invigilation of the town judges were not issued directly to those officials at Tosali (the capital of Kaliṅga), but were sent instead to the viceroys at Ujjayinī and Takshaśilā, and secondly that the Emperor sent his directives directly to the *mahāmātras* at Somāpā (a provincial town in Kaliṅga), while these were sent to the *mahāmātras* at Isila (a provincial town) through the viceroy and officials at Suvarṇagiri (the southern provincial capital). This is probably explained by the fact that Kaliṅga, being a newly conquered province, required, unlike the rest, strict supervision at least for a time by the Emperor and his officials.[1]

We may consider in this connexion the problem presented by two officials of the Maurya Empire who were associated with the territory of Saurashtra. According to the Girnar Rock Inscription of the *satrap* Rudradāman the Vaiśya Pushyagupta constructed the Sudarśana lake in that locality during the reign of Chandragupta Maurya, while the *Yavana* king Tushāspha adorned it with conduits for the sake of Aśoka. A controversy has arisen in modern times about the status of these two persons in relation to the Maurya administration. The most probable interpretation seems to be that Pushyagupta held charge of a small tract in the Gujarat area under the Maurya viceroy of Western India, and that Tushāspha was an imperial officer entrusted by Aśoka with the improvement of the famous irrigation tank.[2]

LOCAL GOVERNMENT — GENERAL

The Mauryas, as we have observed before, inherited from the preceding period a pattern of local government based on the division between the rural and the urban areas. This was continued under their rule. Megasthenes, as we have seen, divided Chandragupta Mauryas' officials into two categories called the *agoranomoi* or the market commissioners and the *astynomoi* or the city commissioners. In Aśoka's time we find concrete references to *mahāmātras* at Pāṭaliputra and Kauśāmbī (Schism Edict), at Tosali and Somāpā (SRE I and II), at Suvarṇagiri and Isila (MRE, BR). These were evidently distinguished from officials in charge of the rural areas.

TOWN ADMINISTRATION

The classical passage on the working of the town administration by the officials under Maurya rule occurs in Megasthenes' account of Chandragupta Maurya's reign. The city commissioners, we read in Strabo's version,[3] are divided into six groups of five each. 'One group looks after the arts of the handicraftsmen. Another group entertains strangers ; for they arrange their lodgings, follow closely their behaviour, give them attendants and either escort them forth or forward the property of those who die and they take care of them when they are sick and bury them when they die. The third group is that of those who scrutinize births and deaths both for the sake of taxes and in order that these may not be unknown. The fourth group is that which has to do with sales and barter, and these look after measures and the fruits of the season that the latter may be sold by stamp. The fifth group has charge of works made by the artisans and the sixth group collects one-tenth of the price of things sold.' All these six groups collectively take care of both private and public matters, 'of repairs of public works, of prices, market-places, harbours and temples'. A comparison of the above with the parallel group of town officials in Kauṭilya's *Arthaśāstra* indicates the originality of the Maurya administration in two respects. Firstly, as regards the constitution of the group, Kauṭilya knows three tiers of officials, namely, the *nāgarika* at the top, the four *sthānikas* (each in charge of a separate ward of the city) in the middle and an indefinite number of *gopas* (each in charge of 10, 20 or 40 households) at the bottom. By contrast, the town officials in Chandragupta Maurya's time are constituted as a co-ordinate body with divisions into committees. Secondly, as regards the functions of the officials, the first, the fourth and the fifth committees, as we have shown elsewhere, are entrusted with the duties corresponding to those of Kauṭilya's *paṇyādhyaksha*, *saṁsthādhyaksha* and *pautavādhyaksha*. On the other hand, the second committee, which is in charge of foreigners, had no parallel in the preceding period. It was certainly an innovation probably suggested to the Mauryas by the parallel, but not equivalent, institution of *proxenoi* among the Greek States. The function of the third committee which was in charge of vital statistics is somewhat equivalent to that of Kauṭilya's *gopas*. Its purpose is stated by the Greek author to be the collection of a (poll ?) tax as well as of keeping a record in the State registers. The function of the sixth committee, namely, the collection of one-tenth of the price of articles sold, corresponds to that of Kauṭilya's *śulkādhyaksha* (see above, p. 114). A systematic account of town administration of the kind described above is completely wanting for the reigns of the later Maurya Emperors. We have, instead, stray references to town officials and their functions in the inscriptions of Aśoka. In the first place, the *mahāmātras* at the towns are charged by Aśoka with the enforcement of regulations for virtuous living among the subjects. They are, again, entrusted with the periodical invigilation of the town judges. Further they have to carry out the king's orders for the punishment of schismatic monks and nuns within their respective jurisdictions (*āhāras*).[4] The records, however, are completely silent about the normal functions of these municipal officers. It is not improbable that the officials under Aśoka's rule still formed a corporate body discharging its functions on the lines of the municipal commission in Chandragupta Maurya's time. The extra duties imposed upon them by Aśoka were such as would naturally devolve upon the municipal authorities of the time. The reference in Aśoka's inscription, moreover, shows that the jurisdictions of the town magistrates were known by a technical title, which distinguished it from the *koṭṭavishayas* (fortified areas ?).

Let us turn to another aspect of urban administration in Maurya times. It is to this period that scholars have traced the oldest extant types of coins issued by the cities. It has been possible to distinguish five groups of such coins, namely those of Takshaśilā, Ujjayinī, Ayodhyā, Kauśāmbī, and lastly, Eran-Besnagar. The types and fabric of these coins are of a strictly local character, which distinguishes them from the punch-marked coins of the central government (see above, pp. 256–7).[5] It would appear that these coins were probably issued by more or less autonomous civic authorities.

RURAL ADMINISTRATION

The classical passage on this subject is that of Strabo, evidently after Megasthenes' account of Chandragupta Maurya's administration. In connexion with the class of officials called the *agoranomoi* (q.v.) we are told that they are to 'keep the rivers improved and the land measured as in Egypt and to inspect the closed canals from which the water is distributed into the conduits, in order that all may have an equal use of it : they have charge of the hunters and are authorized to reward or punish those who deserve either : they also collect the taxes and superintend the crafts connected with the land — those of wood-cutters, carpenters, workers in brass and miners : they make roads, placing pillars at every ten *stadia* to show distances'.[6] To the above we have a few parallels in Kauṭilya's account of rural administration (see above, pp. 161–2). The *sūnādhyaksha*, we read, was charged with control of the slaughter of animals as well as with the realization of government dues from the hunters : the *pradeshṭā* exercised discretionary powers for the purpose of detecting and punishing public enemies : the *kupyādhyaksha* was required to employ a staff of forest guards, carpenters, workers in base metals and so forth at the State workshops : the construction of land- and water-routes by the State officials was undertaken in the rural and urban areas in newly colonized lands. The conclusions which may be drawn from the above comparison would appear to be the following. Firstly, State control over professional hunters, more or less on Kauṭilya's lines, was continued under Chandragupta's rule. Secondly, the same rule witnessed the continuation of officers more or less corresponding to those of the *pradeshṭā* and the *kupyādhyaksha* as well as the addition of a special staff of officers for the construction of roads. Passing to later times we find in one of Aśoka's inscriptions (RE II) references to various officials, such as the *rajjukas*, the *prādeśikas* and the *yutas* (with variant readings) who may have been concerned largely, if not exclusively, with the rural administration.

CHAPTER VI

NOTES

[1] Barua, *Aśoka and his inscriptions*, Part I, pp. 147, 189, suggests two stages in the creation of the provincial administration of Kaliṅga. The *mahāmātras*, we read, who were at first put in charge of the province of Kaliṅga and other outlying provinces were known as *rājavachanikas* or imperial commissioners : after the appointment of the prince-viceroys they functioned at the provincial headquarters as *mantrīmahāmātras*. But his arguments are unconvincing. The term *rājavachanika*, in particular, does not appear to be a technical title, but seems to refer to communication of the Emperor's order in his own words.

[2] This is the conclusion suggested by the author in *SIHC* pp. 439ff after discussion of contrary views on the subject.

[3] H. L. Jones, op. cit., Vol. VII, pp. 83–5.

[4] Refs. (a) PE VII (king's announcement about employment of *mahāmātras* and in particular of *dharmamahāmātras* among sects both named and unnamed). (b) Schism Edict (king's command to *mahāmātras* at Kauśāmbī for penalization of schismatic monks and nuns in view of his general order that none whatever will get a chance to divide the *saṁgha*). (c) Sarnath Edict (king's further order to *mahāmātras* at Pāṭaliputra to broadcast his command to the order of monks and nuns as well as the worshippers and to

despatch everywhere copies in the letter thereof. The translations are based on Barua, *Aśoka and his inscriptions*, Part II, pp. 214–15).

[5] For details of regional issues of copper coins see Allan, *Catalogue*, Introduction, pp. lxxxvii, xc, xciv, cxxv and cxli.

[6] Quoted from Jones' version, Vol. VII, p. 83.

CHAPTER VII

MILITARY ORGANIZATION—INTER-STATE RELATIONS

MILITARY ORGANIZATION

THE pre-Maurya period witnessed the creation of a well-developed military organization based on the standing army with four wings or divisions. The rise of the Maurya Empire must have led to the expansion of this organization in all its branches. We may summarize the slight information available for Chandragupta Maurya's reign after the account of Megasthenes under the following heads:

1. RECRUITMENT AND MAINTENANCE OF THE ARMY; ITS EQUIPMENT WITH THE ARMAMENTS, TRANSPORT AND REMOUNTS; ITS NUMERICAL STRENGTH

In Megasthenes' description of the class of warriors (his fifth Indian caste) we read that 'they are the most numerous class after the farmers: they are paid by the community: they go to war when there is war and make merry in time of peace: their weapons others forge for them, others provide the horses, others groom their horses, polish their weapons, guide the elephants and keep in order and drive the chariots'. 'The arms' we are further told, 'are presented to them by the commander-in-chief.'[1] The numerical strength of Chandragupta's army is given in figures for each of the four wings or divisions. The army consisted, we are told, of 600,000 infantry, 9,000 elephants, 30,000 cavalry and an un-named number of chariots. By contrast, the army of Agrammes the last Nanda king consisted, according to other Greek accounts quoted elsewhere (see above, p. 204), of 200,000 infantry, 3,000 (according to other accounts 4,000 or 6,000) elephants, 20,000 cavalry and 200 four-horsed chariots. The points emerging out of the above accounts are the following: (a) Chandragupta's army consisted wholly of professional fighters, (b) the army was wholly maintained out of the State treasury, (c) a separate staff of attendants was employed for the equipment of the fighters belonging to the four divisions of the army and (d) the numerical strength of the army (especially of the infantry) was increased by Chandragupta under each of the four traditional divisions, the figures given by the Greek observers being, of course, impossible to be checked. A comparison of the above data with the military organization of the preceding period (Part I, Chapter VIII) suggests that the old pattern of a standing army consisting of four wings or divisions was maintained by Chandragupta Maurya. To these, as we shall see presently, Chandragupta added two new divisions, namely the navy and the commissariat. The officers and the ordinary troopers were very probably paid cash salaries on a graded scale as in Kauṭilya's work. It is also probable that Chandragupta continued the various methods of recruitment known to Kauṭilya, which accounted for the enumeration of six classes of troops in the *Arthaśāstra* (IX 2).

2. DIVISIONS OF MILITARY FORCES—MILITARY COMMAND AND EQUIPMENT

'The third joint administration in charge of military affairs', observes Megasthenes in concluding his description of the officialdom of the Mauryas, 'is divided into six groups of five each. Of these groups one is stationed with the admiral, another with the man in charge of the ox-teams by which are transported instruments of war and food for both man and beast and all other requisites of the army. They also furnish the menials, I mean the drum-beaters, gong-carriers as also the grooms and machinists and their assistants, and they send forth the foragers to the sound of bells, and effect speed and safety by means of rewards and punishments. The third group consists of those in charge of the infantry : the fourth of those in charge of the horses : the fifth of those in charge of the chariots and the sixth of those in charge of the elephants. The stables for both horses and beasts (namely, elephants) are royal, and the armoury is also royal : for the soldier returns the equipment to the armoury, the horses to the royal stable and likewise the beasts.'[2] The data emerging out of the above are as follows : firstly, the fighting force of Chandragupta Maurya consisted not only of the traditional four divisions but also of the navy as well as of the branches of army commissariat and the army remount ; secondly, the six wings were placed in charge of separate boards or committees of what may be called the Army Council ; thirdly, a separate military command existed for each of the four wings, while the commander-in-chief and the admiral were in overall charge of the military and the naval forces respectively ; fourthly, there were State armouries for the storage of weapons and the State stables for the upkeep of the war-horses and the war-elephants.

It is instructive to compare and contrast the above with Kauṭilya's account of military organization of the monarchic State (see above, p. 152). In the first place Kauṭilya knows only four wings of the army: his *nāvādhyaksha* (q.v.) is not a military but a civil officer, who is charged with general supervision of the waterways of the kingdom : while mentioning the employment of bulls for military transport and the supply of food and rations for the troops and the transport of animals, he is silent about a separate staff for the above purposes. The addition of a naval division was evidently a new creation of Chandragupta Maurya, while the inclusion of the commissariat and army remount as a separate wing signified their co-ordination under a single military authority. In the second place, Chandragupta evidently continued the old institution of a separate command for each of the four wings along with overall command of the whole army by a commander-in-chief : his originality consisted in the substitution of Boards or Committees for the individual commanders and in the creation of an Army Council comprising all these Boards in overall control of the whole. In the third place, Chandragupta seems to have continued the type of ordnance factories and stables under State administration, such as are described by Kauṭilya (II 18 and 30). To turn to another point, Megasthenes' description of the fortifications of Pāṭaliputra, which has been confirmed in part by archaeological excavations on this ancient site in recent times, points to the advanced condition of the art of military fortifications, such as is reflected in Kauṭilya's work (Part I, Chapter VIII). The forts must have been manned in Maurya times by officers of the type called *durgamukhyas* and *antapālas* by Kauṭilya.[3]

INTER-STATE RELATIONS

The Maurya period marked the close of the old and the beginning of a new epoch of inter-State relations in our ancient history. The old type of the State-system consisting of a single powerful king and his satellites must have been necessarily terminated by the integration of the independent States into a single Empire under the House of the Nandas. With the rise of the Mauryas began a new epoch of diplomatic relations with the outside world. The famous treaty between Chandragupta Maurya and Seleucus was the forerunner of two successive embassies from the court of Antioch and one embassy from the court of Alexandria to the Maurya Emperors. The climax was reached in the reign of Aśoka, who claims to have extended his propaganda for virtuous living beyond his dominions to the Hellenistic kingdoms of Western Asia and Africa as well as to the kingdoms of southern India as far as the Tāmraparṇī river in Ceylon (RE XIII). Aśoka likewise claims to have made healing arrangements in the Hellenistic kingdom of Western Asia and its neighbours as well as in the States of south India as far as the Tāmraparṇī river (MRE I). In the historical tradition of the Siṁhalese chronicles envoys are said to have been sent in Aśoka's time to Ceylon as well as to Further India (*Suvaṇṇabhūmi*).[4] With these intimate contacts India in Aśoka's time became part and parcel of the comity of nations and peoples extending from Africa and Western Asia to Southern and Eastern Asia.

POLITICAL AND MILITARY ORGANIZATION OF CONTEMPORARY INDIAN STATES

We have but slight information about the independent States of India which were more or less contemporary with the Maurya Empire. The ancient kingdom of Kaliṅga comprising the districts of Ganjam and northern areas as its core, rose to be a great military power before its conquest by Aśoka. This is proved by the huge casualties ('one and a half hundred thousand people carried away as captives, one hundred thousand killed, many times that number dying') suffered by the kingdom before its overthrow by Aśoka (RE xiii). But the details of its military organization are completely wanting. In the second place the Andhras of the territory between the Godāvarī and the Kṛishṇā rivers are mentioned by Aśoka (KRE) in the list of tribes dependent on the Empire. But at some unknown date before the Christian era they formed according to the Roman writer Pliny the Elder (*Natural History*, vi 19) an independent kingdom with 'thirty fortified towns and an army numbering one hundred thousand infantry, two thousand horsemen, and one thousand elephants'. Of the organization of the independent kingdom of the land beyond the Kāverī (namely, those of the Pāṇḍyas, the Choḷas, Keralaputras and Satiyaputras) who are mentioned by Aśoka (MRE i) we have no authentic information.

CHAPTER VII

NOTES

[1] Refs. (a) Chinnock's version of Arrian, Vol. ii, pp. 340–1 ; (b) Jones' version of Strabo, Vol. iii, p. 81.

[2] Quoted from Jones, op. cit., Vol. vii, pp. 85–7.

[3] To the above we may add the Greek testimony to the immense striking power of the Indian bow from which the arrows were shot with such effect by the archers that neither shield nor breast-plate could withstand them. This may be taken to illustrate the general efficiency of armaments production in the Maurya period.

[4] See *Dīpavaṁsa*, Chaps. viii and xiiiff ; *Mahāvaṁsa*, Chaps. xii–xiii.

CHAPTER VIII

CONCLUSION

The rule of the Imperial Mauryas covering a period of a little more than a century and a quarter (*c.* 324–187 B.C.) marks the climax of the most brilliant Age of organization of States and Governments in our country's ancient history. It was then that the greater part of our land was brought for the first time under the control of a single administrative system. It is most unfortunate that the direct sources of information about this period are not only scanty, but very unevenly distributed, since we have to depend mainly upon references in Megasthenes' account (preserved only in fragments) of the court and administration of Chandragupta Maurya and in the inscriptions of his grandson Aśoka.[1] Nevertheless, we have found in the preceding chapters sufficient evidence not only of the continuation but also of striking developments of the administration in the branches of political and economic organization, of law and justice, of local government, of military organization and of inter-State relations. These features naturally invite comparison of the administrative system of the Imperial Mauryas with that of their immediate predecessors and contemporaries, the Achaemenids of Iran and the Ptolemies of Egypt as well as the Seleucids of Western Asia. We propose to devote the last chapter of our work to this subject.

AUTHORITY OF THE RULER

The rule of the Ptolemies in Egypt was based in the first place upon the right of conquest by Alexander of whom they claimed to be the political heirs. Egypt was held, in the expressive language of those kings, to have been won by the spear. The authority of the Ptolemies was supported in the next place by religious and political sanctions. The Ptolemies claimed to be the legitimate heirs of the Pharaohs who upheld the concept of the king both as a son of Amon Ra and as a god residing temporarily on earth. By the side of this ancient belief arose the official Greek cult regarding the Ptolemies as descendants of gods or as gods residing on earth. The Ptolemies were acclaimed in later Greek philosophies as identical with the State and as incarnations of the State. From the above ideas it followed that the Ptolemaic State was held to be the house (*oikos*) of the king and its territory his estate (*chora* or *ousia*). In Western Asia the foundations of the royal power of the Seleucids in the eyes of their Greek subjects and their allies were partly religious and partly philosophical: the first aspect relates to the municipal cult of living and dead kings as well as the State royal cult maintained afterwards by the kings for each *satrapy* with official residence for priests and priestesses at least in the most important cities: the second aspect is concerned with the Greek philosophical theory of the absolute ruler. In the eyes of the indigenous population the royal power was founded upon the right of the conquerors as descendants of Alexander and probably also in some form of a dynastic cult connected with the worship of the local gods.[2]

What were the foundations of the authority of the Maurya Emperors in comparison with the above ? The Mauryas, of course, claimed to rule their dominions by right of conquest : witness for instance, the title *vijita* and its equivalents applied by Aśoka to his Empire. Nevertheless, the Mauryas were not aliens on the Indian soil as were the Ptolemies and the Seleucids in their respective dominions. By the time of their rise to power the civilized parts of the country were fused together by a number of factors into a common cultural type. This is indicated by the same pattern of social structure and standards of life and conduct as well as common ethical and philosophical ideas and the common use of Sanskrit and Sanskritic languages for literary purposes. Indeed it would appear that the Mauryas had from the first popular backing for their rule. In the north-west they stood forth as deliverers of the land from the hated Macedonian yoke : in the interior they could claim to have saved the country from the tyranny and misrule of the last Nanda king. At a later period the great humanitarian propaganda of Aśoka must have helped to cement his rule upon the loyal sentiments of his subjects. On the other hand, we have hardly any trace of religious sanctions for the authority of the Mauryas. The honorific title *Devānaṁpiya* ('Beloved of the Gods') assumed by Aśoka involves his claim to divine favour, but in no sense to divine descent. There is, again, no trace of the rise of a philosophical theory of the absolute ruler, a recent view to the contrary which claims Kauṭilya's authority for the alleged superiority of the executive edicts of the Mauryas to the Sacred Law being based on a misunderstanding of the relevant text.[3]

ORGANIZATION OF THE BUREAUCRACY

The problem of the Hellenistic kings in Egypt has been authoritatively stated to be the 'creation of a bureaucratic machinery in a foreign country in new and somewhat bewildering conditions and of elements entirely devoid of suitable qualifications'. Nevertheless, the bureaucracy of the Ptolemies has been acclaimed by the same high authority as one of the supreme achievements of the Greek genius for practical administration.[4] We have, however, the clear testimony of another scholar to the grave defects of the Ptolemaic bureaucracy arising from the fundamental fact of the existence in the country of a ruling foreign class in the midst of a conquered indigenous population.[5]

Let us compare and contrast the organization of the Maurya bureaucracy with the above. The Mauryas appear to have inherited from their predecessors an advanced administrative machinery consisting of officials with distinct designations and functions : this was characterized by the separation of the civil from the military branch of the administration and at higher levels of the executive from the judicial branch : it was also marked by the creation at the same advanced stages of offices with full and detailed rules for their working under the guidance of appropriate officers : the functions of these officers were so defined as to avoid needless overlapping and duplication : the preparation of annual accounts of the State income and expenditure and their auditing by proper officials were known as a normal feature of the advanced State administrations (see above, pp. 18ff). To judge from our scanty information, the Mauryas continued the above system of administration with the improvements in such branches as the organization of the town administration and the army command. It would appear from the above discussion that the high eulogy bestowed by the authority quoted above on the bureaucracy of the Ptolemies[6] would at least equally apply to that of the Mauryas.

GENERAL ECONOMIC POLICY

The Achaemenid Empire, it has been observed by a high authority, was a medley of economic units with a long history behind each, and it was sought to be made an economic unit by the Persian kings through a sound policy of decentralization as well as of construction of royal roads, of new sea-routes, and of a royal gold and silver currency. Egypt, it has been stated, was 'the classical land of the first attempt at centralization, at a planned economy and at the same time a flourishing centre of developed agriculture, industry and trade'. The Ptolemies, we are further told, added a State-planned economic organization on an imperial scale to the arrangements for peace and order, for uniform currency and for roads and communications made by their predecessors.[7]

Let us turn to India in the times of the Mauryas and their predecessors. There is no doubt that the diversity of physical conditions resulted then as in later times in the rise of mainly agricultural, industrial or commercial regions in different parts of our country. Nevertheless, it is a fact that the fundamental similarity of economic conditions is taken for granted in the most advanced system of the preceding period, namely, that of the *Arthaśāstra.* This is illustrated by Kauṭilya's programme for the simultaneous development of agriculture, industry and trade in his scheme of State colonization of the waste lands (see above, p. 73). In the second place, State-planned economic organization is achieved in Kauṭilya's work not only in respect of waste lands as just mentioned, but also of mines and forests and of selected industries and trades. Nevertheless, there is no trace of planning on a State-wise scale. In contrast with the Egyptian king's ownership of the State and his consequent right of disposal not only of the natural possessions but also of the labour of the population (see below), there is in Kauṭilya's work full recognition of private ownership of fields and pastures as well as of industries and trades, while the compulsory labour levied upon the cultivators plays a minor part in the State economy (see above, pp. 111, 112). It is reasonable to infer that the Kauṭilyan tradition was continued in its main features by the Imperial Mauryas.

AGRICULTURE, INDUSTRY AND TRADE

The Ptolemies maintained strict control over agriculture, mining and quarrying as well as over fishing and hunting. Under their rule there was no branch of production either agricultural or industrial, which was not regulated and to a certain extent managed by the government. In particular, all traders were regarded as concessionaries of the government paying a license for the sole right of dealing in certain commodities.[8] Let us compare and contrast the above with the administrative arrangements of the monarchies of the preceding period and presumably of the Maurya Empire as well.

1. AGRICULTURE — DIVISIONS OF LAND AND OWNERSHIP OF THE SOIL

The lands in Ptolemaic Egypt were divided into two classes, namely, 'the royal land' managed directly by the king and 'the granted land' comprising sacred land belonging to the temples as well as cleruchic lands assigned to the troops, the dorian land assigned to the civil employees and the gift-estates in favour of the chief civil and military officers of the Crown : other land was held in private ownership, but the king was regarded as the owner of the whole of Egypt, and private property was held to be 'not a right vesting in private individuals but a concession of the kings'. We can trace a similar division of lands in the Seleucidan Empire. There the royal lands were cultivated by hereditary tenants under supervision of the State officials on condition of payment of tribute in kind or in money : other lands were cultivated by half-independent tribes, cities and temples, the cultivators paying the land-taxes at different rates of assessment. Finally, all land was virtually regarded as the property of the king.[9]

Let us compare the conditions in India under the rule of the independent kings anterior to the Mauryas with the above. In Kauṭilya's *Arthaśāstra* the settled area is broadly divided into the lands of the revenue-paying cultivators and the Crown lands. In so far as the former group is concerned, the villages are classified (II 35) as those paying revenue in various forms, those exempted from the same and those liable to military service in lieu of taxes, in the Grand Register of villages throughout the kingdom prepared by the *samāhartā* : the cultivators enjoyed complete rights of sale, mortgage and gift over their holdings : of the lands liable to military service, which may be said to resemble the Ptolemaic cleruchies, we have no further information. The Crown land (or the State farm) was divided (II 24) into fields directly cultivated by the officer-in-charge, and those let out to share-croppers who were entitled to a half or quarter only of the crops and were further liable to water-rates : this implies a close supervision of the hired fields by the State officials not only at the harvesting but also at earlier stages of the cultivating season. In the newly colonized areas fields are assigned (II 1) to holy men as well as for the purposes of religious studies and sacrifices : but we do not hear of assignments in favour of temples, which do not seem as yet to be important. The relative insignificance of religious and secular assignments of lands by the State in the system of the *Arthaśāstra* is indicated by two facts. Firstly, the officer-in-charge of temples (*devatādhyaksha*) is credited by Kauṭilya (V 2) with pooling the funds of temples for the purpose of confiscation in the king's financial emergency, but no reference is made to their landed possessions. Secondly, it is true that Kauṭilya (II 1) provides for assignment of fields out of newly colonized tracts to civil employees of an inferior status, but the remaining and by far the more important section of the services is directly paid cash salaries out of the government treasury (V 3). (See above, pp. 88-9.)

2. AGRICULTURE—MAINTENANCE OF CANALS AND DIKES

The Ptolemies of Egypt inherited from the Pharaohs the construction of a network of irrigation canals and dikes and the method of their maintenance by seasonal compulsory labour of the whole people. The Ptolemies used to mobilize the whole people with their draught animals for maintaining this network of canals and dikes for the purpose of managing the water supply, without which agriculture is impossible in Egypt. Along with the above there was the official agency for supervising the proper distribution of the canal water among the cultivators. Another institution that was inherited by the Ptolemies from their predecessors was the preparation of annual registers based on measurement of the land. The land registers were compiled by the village chiefs under supervision of the higher officials 'the royal scribes'. The village surveys were tabulated by the toparchs (officers of the sub-divisions of the nome) and were sent to the nomarchs (officers responsible for cultivation of the royal land). The reports for the whole nome were finally sent by the nomarchs to Alexandria for the preparation of a general revenue roll. The same process was at work in other forms of economic exploitation of the natural resources of the country.[10]

In the period preceding the rise of the Maurya Empire the use of irrigation water for agricultural purposes was well-known. Kauṭilya (II 1) includes the construction of *setus* or *setubandhas* (embanked reservoirs) by State agency or with State help in his plan for the development of the waste lands. But Indian agriculture has always been primarily supported by the periodical rainfall at the monsoon season. The officer-in-charge of State farms is, therefore, required by Kauṭilya (II 24) to phase the sowing of crops according to the rainfall. In the *Arthaśāstra* there is no counterpart of the Egyptian system of maintenance of canals by the seasonal compulsory labour of the whole people and the king is nowhere regarded as 'the owner of the soil and the sub-soil' with a complete right of exacting the compulsory labour of his subjects. In the reign of Chandragupta Maurya, according to the evidence of Megasthenes, the officials were required to measure lands 'as in Egypt'. This may be taken to refer only to lands lying on the banks of rivers and subject as such to periodical flood, for these would require measurement of the fields for the purpose of fresh assessment after the subsidence of the flood. Megasthenes further refers to the employment of officials for supervising the proper distribution of canal water among the cultivators. This was apparently a later innovation. For Kauṭilya, as we have seen, mentions (III 9) only penal clauses of the law for letting out water from the *setu* when it is not one's turn and for preventing its use by others when it is their turn. In so far as the compilation of the State registers is concerned, a striking parallel may be detected between the Indian and the Egyptian practices. In the *Arthaśāstra* the village register is prepared in the first instance by the *gopa* evidently after an elaborate survey of the village lands. This is supervised by the *sthānika* and the reports are ultimately sent to the *samāhartā* for the compilation of his Grand Register of the villages under specified heads. Compared with the Egyptian village register, however, that of the *gopas* was more thorough, since it included not only full particulars of the village area, but also the private transfers by gift or sale and the amount of government dues and their remissions. The village register was supplemented by the census of houses and families in the villages. Kauṭilya, however, does not mention preparation by the *gopa* of an annual record of the various plots and their cultivators. This was evidently due to the fact that the plots, unlike those of Egypt, did not tend to change from year to year so as to become liable to the full or a reduced rent, or to no rental at all.

PASTURAGE—REARING OF DOMESTIC ANIMALS—HUNTING AND FISHING

The Ptolemies of Egypt were the owners of all pasture lands in the country and claimed as such the right of disposal of all green foliage grown on the fields. Kings, again, owned large stocks of flocks and herds of domestic animals, and all royal as well as private draught animals were registered every year in each name by the appropriate officers. The registers were kept up-to-date by means of frequent inspection. The kings claimed, besides, exclusive hunting and fishing rights which were leased to concessionaires.[11]

Let us notice the resemblances and differences between the Egyptian system on the one hand, and that of the *Arthaśāstra* and the Mauryas on the other. In Kauṭilya's work the king is described as owning large flocks and herds of domestic animals and a careful register of the same was kept by the State officers-in-charge, namely, the *go'dhyaksha* and the *aśvādhyaksha* (II 29–30). Along with the above separate registers were prepared by the *gopas* for the village fields and pastures and so forth (II 35). From the clauses of the law relating to immovable property we learn that the villagers in the latter case enjoyed full rights of ownership in respect of their tenements and fields as well as of pastures (III 9). To turn to another point, we find in

Kauṭilya's work that the State realized its dues from the share-croppers in the State farms for the use of aquatic birds and fishes (II 24). The State dues were likewise realized from the hunters (II 26). But there is not the slightest trace of the government's exclusive claim to hunting and fishing rights.

MINES, QUARRIES AND FORESTS

The Ptolemies possessed the exclusive rights of working the mines and quarries in their kingdom. The mines were worked by prisoners of war and criminals under the supervision of a technical staff. The quarries of stone were worked by guilds of stone-cutters who undertook to extract from a given quarry a certain quantity of stone, and were supplied with tools and the labour of prisoners and criminals by the government. The produce of the mines and the quarries as well as of the salt-pans was used or disposed of by the government. The metal-ware was produced and sold by the artisans probably working under a license from material bought from the government. We learn, again, how extensive tree-planting was carried out along the embankments by the administration.[12]

Turning to the Indian parallel we find that mines and quarries were held in Kauṭilya's work to be State monopolies. But these were worked partly by the government officials and partly by lease-holders on payment of royalties or of a share of the yields (II 12). The products of mines and quarries, again, were manufactured in State factories under the supervision of separate officers. Gold- and silver-ware, in particular, were manufactured and sold by a licensed goldsmith under strict control of the officer in overall charge of the precious metals (II 13). In the last place, forests of economic products were planted on a systematic scale in newly colonized areas (II 1) and were as methodically exploited by a special officer called the *kupyādhyaksha* (II 17). For the period of the Imperial Mauryas our information is completely lacking.

INDUSTRY AND TRADE—STATE CONTROL AND STATE MONOPOLIES

In Ptolemaic Egypt the State regulated every branch of industry and trade. The artisans who were not in the service of the government probably worked under a licence on material received on commission from the State. All traders were regarded as concessionaires of the government, paying for a licence for the sole right of dealing in certain commodities. The Eastern and the Southern trade, in particular, was completely regulated by the Ptolemies. No free trade was allowed in goods imported from Arabia, India and Africa. These goods, on the contrary, after reaching the soil of Egypt were delivered to the Crown and their prices were fixed according to a special tariff.[13]

In Kauṭilya's *Arthaśāstra*, by contrast, the artisans who were not in the service of the government were allowed complete freedom and initiative in the pursuit of their calling. What is more, they formed guilds or associations whose business transactions with the public as well as among themselves were regulated by clauses of the State law (III 14). In the second place, the traders not dealing in the State merchandise enjoyed complete freedom to export their goods. There was no branch of trade which was entirely controlled by the government. In the next place, the State exercised control over artisans and traders through the agency of officers like the *pradeshṭā* (IV 1), the *paṇyādhyaksha* (IV 16) and the *saṁsthādhyaksha* (IV 2). But this was done mainly for protection of the public against various malpractices of those classes, and in fact it formed part and parcel of the State's programme for ensuring public welfare. Coming to the Maurya period we learn how the government controlled industry and trade within the urban area through the agency of officers more or less on the Kauṭilyan lines.

We now turn to State monopolies and industrial as well as trading concerns. In Ptolemaic Egypt these related to four principal articles, namely, vegetable oils, salt, textiles and beer. As regards the State monopoly of vegetable oils, we learn that the State claimed to regulate the amount of crops to be sown each year, and to buy the whole crop at its own price. The imported oil was bought up by the State and sold at the same artificially high price as the home-grown product. As for the salt monopoly, the salt pans belonged to the government and were operated in the same way as mines and quarries; after preparation the salt was sold to the public by the government through licensed traders all over the country, some portion being sold directly to privileged bodies: every inhabitant was liable to an additional salt-tax at a high rate. Turning to the next point we learn that the commercial production of beer and its sale in beer-shops were concentrated in the king's hands: the brewers received a quantity of barley from the king and sold the beer to the public under the supervision of government accountants. Lastly, the State exercised a limited control over the production of linen, a certain quantity of flax being required to be delivered to the State, while the rest of the production was free: the weavers worked in government factories or in their own homes under contract with the government.[14]

In Kauṭilya's *Arthaśāstra* the production and distribution of mining and mineral objects (II 12) as well as of the produce of the economic forests (II 1 and 17) were monopolized by the State. The State likewise exercised partial control over the production and distribution of textiles (II 23) and liquors (II 25). In Kauṭilya's classification of the sources of revenue (II 6) clarified butter and alkalies are included in the revenue group *durga* ('the fortified area'). It is not, however, known whether the State exercised even partial control over their production and distribution. Between the State monopolies and other business concerns in Ptolemaic Egypt and in India as described in the *Arthaśāstra* there are certain broad resemblances along with important differences. Firstly, the *Arthaśāstra* offers no parallel to the Ptolemaic monopoly over vegetable oils. Secondly, the products of the State industries in Kauṭilya's work are sold by licensed dealers, imported articles being subject to countervailing duties (II 12 and 23). But there is no counterpart of the Egyptian system of State purchase of all imported oils for subsequent sale to the public at an inflated price. Thirdly, in contrast with Ptolemaic Egypt the mines in Kauṭilya's system are worked partly by direct State agency and partly on lease, while the salt deposits appear to have been let out as a rule to lease-holders (II 12): the wages of the spinners and the weavers at the State factories were fixed by contract (II 23). Coming to Chandragupta Maurya's time, Megasthenes hints at the working of State metallurgical and ship-building industries which employed artisans on hire. These industries were probably worked on lines laid down by Kauṭilya.

LAW AND JUSTICE

One common characteristic of the Hellenistic monarchies was the variety of their judicial systems. This was due to the co-existence of the indigenous population and the foreign emigrants who were allowed to be ruled by their respective bodies of law. This led inevitably to the domination of royal legislation and jurisdiction in the sense that 'the royal law, order or regulation, if it conflicted with other laws was always regarded as overriding them, and that the royal verdict in law suits was final'. In the result there was a tendency towards a certain uniformity of the Greek civil law, 'a kind of legal koine'. The main feature of the royal legislation, however, was not so much the adoption of Greek law in Egypt as 'the adaptation of various forms of Greek law to the social and economic traditions of Egypt'.[15]

In Ancient India by contrast two codes or bodies of law were developed in the period of the independent States. These were the codes of the canonists and the authors of the *Arthaśāstra*, and they claimed jurisdiction over all sections and classes of the community within the pale of Indian civilization. The codes were marked by a certain uniformity of standards as tracing their primary source to the sacred canon, while their recognition of custom as a subsidiary source of the law guaranteed the legal validity of various regional and group customs. At the same time the supreme authority of the royal court led to a certain uniformity of the judicial administration.[16] In Kautilya's work, it is true, the king's executive edict is held to be invested with the authority of law, but it is never allowed to override all other laws. It is only within the limited sphere of the administration of justice that the king's judicial decree is held to prevail over all other forms of decision (see above, pp. 122, 128).

ROADS AND COMMUNICATIONS — CURRENCY AND COINAGE — WELFARE MEASURES

The first great epoch of road-building in the history of antiquity was that of the Achaemenid Emperors. The Royal Road from the Persian capital Persepolis to Sardis and such other roads were the forerunners of the road-systems of the Hellenistic monarchies and their political heirs, the Roman Republic and Empire. Pre-Maurya and Maurya India followed in the footsteps of the Achaemenids. The arterial roads traversing the country from one end to the other such as can be traced back by our records to the earlier times (see above, pp. 89, 103 n6) were improved and developed by the Imperial Mauryas. The greatest of these roads ran from Pāṭaliputra, the imperial capital in the east, to Pushkarāvatī in the extreme north-west.

The oldest system of imperial coinage, like the earliest imperial roads, may be traced to the Achaemenids. The gold coins (called *darics*) of these Emperors were models for uniformity of weight and fabric as well as for purity of the metal. Compared with the achievement of the Achaemenids little advance was made in the coinage of pre-Maurya and Maurya India. This consisted principally of the so-called punch-marked series of silver coins, which bear no portraits or legends, although they are characterized by a certain uniformity of standards.

The above series of comparisons and contrasts may fittingly be concluded with a discussion, however inadequate, of the influence of the Achaemenid and the Hellenistic administrations upon India successively during pre-Maurya and Maurya times. In the organization of a strong central administration under a bureaucracy, in the compilation of village registers based on accurate surveys of the lands by the State officers, in the working of mines and quarries as well as of selected industries, we have noticed some remarkable parallels between India and her western neighbours. These resemblances, however, are accompanied by important differences. The same similarities and contrasts may be presumed to have been continued under the Imperial Mauryas. In the circumstances it seems most reasonable to leave the question of Western influence upon India during our period an open one.[17]

LEGACY OF THE IMPERIAL MAURYAS

We may take up at the end of this work the important topic of the legacy of the Maurya Empire for later times. It is most unfortunate that the records of this Empire are so lamentably scanty. Nevertheless it is possible to mention some lines along which the Mauryas left the impress of their rule upon posterity.

Firstly, as regards the place of the Maurya Empire in India's history: The Mauryas built the first and only ancient all-India Empire known to our country's annals. Its boundaries extended at its height to the natural frontier of our land on all sides except in the extreme south and the north-east, and beyond the Indus to the Hindu Kush, India's true strategic frontier on the north-west. The Mauryas, while halting and afterwards pushing back the eastward advance of Macedonian imperialism, gave their subjects within this vast area the blessings of peace and order under three exceptionally able rulers in lineal succession. In the centuries to come powerful Indian monarchs frequently founded Empires which endured for a greater or a smaller length of time. For reasons which need not concern us here, none of these Empires approached the size of the Empire of the Mauryas. But their rulers, in so far as they ensured internal security and immunity against foreign attack, were inspired by the spirit of the great Mauryas.

Secondly, as regards the status of the ruler and the organization of the bureaucracy: The Mauryas inherited and developed the earlier traditional role belonging to the ruler as the head of the civil as well as the military administration and bequeathed the same to their successors. But the simple title *rājan* (king) adopted even by the greatest of the Mauryas at the height of their power was replaced with imperial titles by the later Indian paramount rulers regularly from the period of the Imperial Guptas onwards. This development which was mainly due to the example of the foreign kings and dynasties settled on the Indian soil was accompanied by the influx to a slight extent of the ideas of the king's divinity such as were unknown to the Mauryas. In the next place, the Maurya period appears, in spite of the lamentable paucity of our records, to have seen the culmination of the type of administration by trained officials whose creation has been characterized by us elsewhere as one of the supreme achievements of the preceding Age. For the later dynasties we have for the most part mere lists of administrative offices and references to individual high officials. The nomenclature of these offices, again, bears little or no resemblance to that of the Maurya officialdom. Nevertheless it is permissible to assert that the dominant part played by officialdom in Ancient Indian State administration thereafter down at least to the period of the Later Guptas was due in part to the prestige it acquired under the rule of the Imperial Mauryas. The great growth of the influence of the feudatories belongs to a later chapter of our ancient history.

Thirdly, as regards the policy of public security and welfare: The tradition of State provision in this regard was created for the first time by the author's of the *Dharmasūtras* and the *Arthaśāstra*. The Mauryas appear to have continued this tradition on a grand imperial scale. Aśoka specially distinguished himself by his measures for propagation of the Law of Piety. This involved the construction of public works and (for the first time in recorded history) the foundation of State hospitals, as well as the promotion of virtuous living and religious syncretism among the subjects. Though Aśoka's comprehensive programme for the moral and material welfare of the subjects was not attempted by any subsequent Indian ruler, the complete security of the people was achieved by the best governments of later times like those of the Gupta Emperor Chandragupta II in the last part of the fourth and first quarter of the fifth centuries, of Harshavardhana of Thanesar in the first half of the seventh century and of the Gurjara-Pratihāras in the first half of the ninth century. Harsha further distinguished himself by the lavish distribution of his treasures at the quinquennial assemblies of his reign.

Fourthly, as for the policy of unlimited territorial conquest and expansion of dominion: In the preceding period this policy was definitely laid down for the *vijigīshu* or the aggressive king in the system of *Arthaśāstra* and it was followed in actual practice according to the slender evidence of the *Jātakas*. It was continued by the Mauryas until Aśoka's conquest of Kaliṅga when it was replaced by a pacifist policy based on the avoidance of all aggressive warfare. The Maurya policy in its first phase was followed by all ambitious rulers in the later centuries of our ancient history, while no attempt was made to emulate the later pacifist policy of Aśoka.

The greatest gift of the Mauryas was that they demonstrated the capacity of the most talented of the race-groups forming the composite population of Ancient India, to rule one of the largest Empires of the ancient world for over a century and a quarter. The pre-Maurya period, as we have endeavoured to show in Part I of this work, was marked by the creation of a highly organized civil and military administration at its topmost levels, and the Mauryas, to judge from their scanty surviving records (such as the references to the municipal administration and the military organization of Chandragupta's reign and the hierarchy of officials operating under Aśoka's rule) worthily upheld and developed this inheritance. The history of the post-Maurya period indicates periods of decline marked by foreign invasions and settlements like the centuries following the downfall of the Maurya Empire and the decline and fall of the Gupta Empire. For more than thirteen centuries nevertheless, till the overthrow of all the important dynasties of northern India by the arms of Islam under the Turkish houses of Ghazni and Ghori, there were not wanting Indian rulers who succeeded in stemming the advance of the foreigners and even in recovering the territory lost to them. In thus maintaining the independence of their country, the later rulers followed the spirit of the Imperial Mauryas.

CHAPTER VIII

NOTES

[1] With the above contrast the wealth of papyrological material from Ptolemaic Egypt 'recovered from the ruins of cities and villages, from rubbish heaps, and especially the sarcophagi and trappings of mummies'. Contrast also the series of authentic coins issued by successive Ptolemaic and Seleucid kings as well as the wealth of antiquities found alike in Egypt and Western Asia on the ruins of cities and villages. The high quality of the Egyptian material is illustrated by the fact that it comprises original orders of kings and their officials, a connected group of documents belonging to the archives of officials, disconnected official and semi-official documents and so forth. (On the above subject see Rostovtzeff, *SEHHW* pp. 258, 425).

[2] The above is a summary of *SEHHW* pp. 267–9, 431–39.

[3] The significance of the title *devānaṁpiya* and the interpretation of the Kauṭilyan texts (III 1) on the authority of the king's executive edict and judicial decree are discussed by the present writer in *IPI* pp. 114, 127n4, 292 and 303n2.

[4] See the remarks of M. Rostovtzeff, in *SEHHW* p. 1079.

[5] The ref. is to the view of W. S. Ferguson, *CAH* Vol. VII, pp. 121–3, who thus sums up the characteristics of the Ptolemaic administration of Egypt in the third century B.C. *Firstly*, Egypt was broadly divided from the legal and administrative point of view into two tracts, namely, the territory of the Greek cities and the so-called 'country'

(*chora*) inhabited by the native population; while the former had self-governing institutions on the model of the Greek *polis*, the latter was ruled by the king's officials. *Secondly*, the officers-in-charge of the sub-divisions of the 'country' (*nomes*, *toparchies* and villages) legally derived their powers from the king, but in practice were appointed and controlled by the higher officials of the Ptolemaic bureaucracy: they worked partly according to the ancient pre-Ptolemaic tradition and partly according to the directions from their own superiors which were never codified, and the 'Laws' issued by the king. This resulted in a highly complicated system of administration. *Thirdly*, the clerks in the chief town of the *nome* and in the *toparchies* and the villages were entrusted with all statistical work. *Fourthly*, the collection, transport and storage of taxes and rents and so forth were entrusted to representatives of the indigenous people in conjunction with the heads of the government stores and the directors of the local branches of the treasury. *Fifthly*, guardians of various kinds numbering hundreds of thousands held charge of dams and canals, of roads, sown crops, vineyards, stores, pastures, cattle and so on. As regards the general characteristics of the officials of the Ptolemaic period, we are told that they had no professional instruction but 'were mostly new Greek emigrants who were creatures of some big officials in the towns', and that while the higher officials were dependent entirely on the king's favour, the lower offices in the villages were nothing 'but a heavy burden giving no access either to wealth or a brilliant career'.

[6] See *SEHHW* p. 108, where the Ptolemaic administration is characterized as 'marvellous in its logic and clearness of conception, in its co-ordination with the past and in the flexibility that made changing in detail easy'.

[7] *SEHHW* p. 77.

[8] Ibid. p. 313.

[9] Ibid. pp. 271, 276–7, 464.

[10] Ibid. pp. 275–6, 291.

[11] Ibid. pp. 291ff.

[12] Ibid. pp. 297ff.

[13] Ibid. pp. 298, 313.

[14] Ibid. pp. 302f, 305f, 308–9; W. S. Ferguson, in *CAH* Vol. vii, pp. 136f.

[15] *SEHHW* pp. 1067ff.

[16] Ibid. pp. 1091–3.

[17] We quote below some recent views on the above subject. Ferguson, *CAH* Vol. vii, pp. 154f, after noticing the similarity of finances and economic organization of Chandragupta Maurya and his successors as set forth in Kauṭilya's *Arthaśāstra* to those of Ptolemaic Egypt, and in particular, the State monopolies in oils, salt and mines and the far-reaching State socialism under enlightened monarchs common to India and Ptolemaic Egypt, leaves the question of coincidence or of Egyptian influence undecided because of the controversy about the date of Kauṭilya. Again Rostovtzeff, *SEHHW* pp. 550–1, while taking Kauṭilya's authority to suggest that 'Chandragupta did more to hellenize India than Demetrius and Menander', completely discredits its evidence on the ground that it seems to be rather a theoretical and speculative work and very probably has nothing to do with Chandragupta and the Maurya organization of India. These views would appear on the one hand to overstate the points of similarity between Maurya India and its western neighbour, and on the other hand to minimize the authority of Kauṭilya's *Arthaśāstra* as a mirror of the most advanced type of State organization prevailing in pre-Maurya times.

A consideration of the above facts relating only to the history of Ancient India would seem to invalidate the rash generalization about the contrast drawn between the genius of Eastern and Western peoples and civilizations by some of the foremost historians of recent times no doubt as a part of their inheritance of the classical culture. To take two examples, Jules Toutain, author of *The Economic Life of the Ancient World*, 1951, after stating how the spirit of initiative and the sense of method were brought into the East by Alexander and his successors, fortifies his statement by quoting the judgement of Greek writers from Herodotus to Aristotle about the inferiority of the Persians or more generally the barbarians as compared with the Greeks (ibid. p. 92). Again, M. Rostovtzeff, in his great work called *Social and Economic History of the Hellenistic World,* while describing the process of decay of the Hellenistic monarchies observes that 'the creative spirit and the throbbing optimism were replaced by resignation, and the European rhythm and purposeful alacrity of work by the slow tempo of the East', and that 'this part of the Hellenistic world was gradually relapsing into Oriental passivity' (ibid. p. 1096).

LIST OF ORIGINAL WORKS QUOTED

(*With editions, translations and abbreviations*)

(Note : The references given in Roman numerals and often serially in Arabic numerals following thereafter are to the titles and sub-titles known by different names in different works in the edition or editions cited below. To take some of the commonest examples : (a) Āpast. ɪɪ. 4.8.6–7 means the 6th and the 7th *sūtras* of the 8th *kaṇḍikā* of the 4th *paṭala* in the 2nd *praśna* in Bühler's edition ; (b) in *KA* the Roman and the Arabic numerals refer respectively to the *adhikaraṇas* and the *adhyāyas* in any of the editions quoted below ; (c) in the case of the *Jātakas* the serial number of the story and the page number in Fausböll's edition of the original Pali work are indicated by the Roman and the Arabic numerals respectively ; (d) Pāṇ. ᴠɪ 3.25 means the 25th *sūtra* of the 3rd *pāda* of the 6th *adhyāya* of the work of the great grammarian.)

ORIGINAL WORKS IN SANSKRIT, PALI AND PRAKṚIT

AN *Aṅguttara Nikāya*, ed. by R. Morris and E. Hardy, 5 vols. *PTS* London, 1885–1900: tr. *The Book of Gradual Sayings*, Vols. ɪ, ɪɪ, ᴠ by F. L. Woodward, Vols. ɪɪɪ-ɪᴠ by E. M. Hare, *PTS* 1932–6.

Āpast. *Āpastambīya Dharmasūtram* (in Devanagari characters), ed. by Dr. George Bühler, 3rd ed., 1932. Bombay Skt. Series, nos. xʟɪᴠ and ʟ : tr. by G. Bühler, *SBE* Vol. ɪɪ, 2nd ed., Oxford, 1896.

Āpast. Gṛ. Sū. *Āpastambīya Gṛihyasūtra*, ed. by M. Winternitz, Vienna, 1887, tr. by H. Oldenberg, in *SBE* Vol. xxx, Oxford, 1896.

AV *Atharvaveda Saṁhita.*

Baudh. *Baudhāyana-Dharmasūtra*, ed. by E. Hultzsch, Leipzig ; ed. with commentary of Govindasvāmin, Kashi Sanskrit Series, Banaras, 1934 ; tr. by G. Bühler, *SBE* Vol. xɪᴠ, Oxford, 1882 ; *Baudhāyana Śrautasūtra*, ed. by W. Caland in Bib. Ind., 1904–23. *Bhāradvāja Gṛihyasūtra*, ed. by Henriette J. W. Solomons, Leyden, 1913.

CU *Chhāndogya Upanishad*, many editions.

DN *Dīgha Nikāya*, ed. by T. W. Rhys Davids and J. E. Carpenter, 3 vols., *PTS* 1890, 1903, 1911 ; tr. *Dialogues of the Buddha* by T. W. Rhys Davids, 3 vols., London, 1899, 1900, 1921.

Gaut. *Gautama-Dharmasūtra*, ed. by A. F. Stenzler, London, 1876 ; ed. with Maskari's commentary, *ASS* no. 61, Poona, 1910 ; ed. with Haradatta's commentary, Mysore, 1917 ; tr. by G. Bühler, *SBE* Vol. ɪɪ, 2nd edition, Oxford ; *Hiraṇyakeśi-Gṛihyasūtra*, ed. by J. Kirste, Vienna, 1889, tr. by H. Oldenberg in *SBE* Vol. xxx, Oxford, 1892.

Jāt. The *Jātaka* together with its commentary, for the first time edited in the original Pali, by V. Fausböll, 6 vols., Index volume by D. Anderson; tr. by various hands under the editorship of E. B. Cowell, Cambridge, 1895–1913, Index volume of *Jātaka* tr. abbr. as *Jāt. Index.*

KA The *Arthaśāstra* of Kauṭilya (or Kauṭalya), ed. by R. Shamasastry, 2nd ed., Mysore, 1919; ed. by J. Jolly and R. Schmidt, Vol. I, Lahore, 1929; ed. with his own commentary *Śrīmūla* by T. Ganapati Sastri, 3 vols., TSS, Trivandrum, 1924–5; ed. by R. P. Kangle (*The Kautilya-Arthaśāstra,* Part I, critical edition), Bombay, 1960; Eng. tr. by R. Shamasastry, 3rd ed., Mysore 1929; German tr. by Johann Jakob Meyer, Leipzig, 1926.

Kāt. Kātyāyana's *vārttikas* on Pāṇini's grammar. See under *Pāṇini.*

Kāt. Śr. Sū *Kātyāyana Śrautasūtra*, ed. by Vidyadhara Sharma, Banaras, *Samvat* 1987.

Kauśītaki Śr. Sū. *Kauśītaki Śrautasūtra.*

KS *Kāṭhaka Saṁhitā*, ed. by L. von Schroeder, 2 vols., Leipzig, 1900–11.

Mān. Śr. Sū. *Mānava Śrautasūtra* (Books I–V), ed. by F. Knauer, St. Petersburg, 1900–3.

MS *Maitrāyaṇī Saṁhitā*, ed. by L. von Schroeder, Leipzig, 1881–6.

Pāṇ. The *Ashṭādhyāyī* (8 Chapters) of Pāṇini, available in many editions. The most convenient edition is still that of F. Kielhorn entitled *Vyākaraṇa Mahābhāshya of Patañjali*, 3 vols., 1880–5, which contains likewise the *sūtras* of the great grammarian and the *vārttikas* of Kātyāyana in different types.

SN *Saṁyutta Nikāya*, ed. by Leon Feer, Indexes by Mrs. Rhys Davids, London, 1904.

Vas. *Vasishṭha-Dharmasūtra*, ed., by A. A. Führer, Bombay Sanskrit Series, 3rd ed., Poona, 1930; tr. by G. Bühler, *SBE* Vol. XIV, Oxford, 1882.

Vin. The *Vinaya Piṭakam*, one of the principal Buddhist holy scriptures in the Pali language, ed. by H. Oldenberg, 5 vols., 1879–83; tr. by I. B. Horner, under the title *The Book of the Disciplinary Path*, Sacred Books of the Buddhists Series.

Vish. *Vishṇu Dharmasūtra*, ed. by J. Jolly, Bib. Ind., 2nd Series, Calcutta, 1881; tr. by J. Jolly, *SBE* Vol. VII, Oxford, 1880.

Works of Greek and Latin classical literature have also been quoted. Under this head we have to mention the works of Arrian, Curtius, Diodorus and Plutarch, for which see the list of works quoted in Part II, below.

OTHER ABBREVIATIONS

Agrawala, *India* *India as known to Pāṇini* by V. S. Agrawala.

CHI *The Cambridge History of India*, Volume I, *Ancient India*, ed., by E. J. Rapson, Cambridge, 1922.

HPL *A History of Hindu Public Life*, Part I (Period of the Vedic *Saṁhitās*, the *Brāhmaṇas*, and the Older *Upanishads*) by U. N. Ghoshal, Calcutta, 1945.

HRS *Contributions to the History of the Hindu Revenue System*, by U. N. Ghoshal, Calcutta, 1929.

IPI *A History of Indian Political Ideas, the ancient period and the period of transition to the Middle Ages*, by U. N. Ghoshal, Oxford University Press, 1959.

JNSI *Journal of the Numismatic Society of India.*

Kane, *H of D* *History of Dharmaśāstra* by P. V. Kane, 5 vols., 1930–58.

Kane's List *Śaṅkha-Likhita* collection of texts, ed. by P. V. Kane, *ABORI* Vol. VII, pp. 108–28 and Vol. VIII, pp. 93–132.

PHAI *Political History of Ancient India*, from the accession of Parikshit to the extinction of the Gupta dynasty, by Hem Chandra Raychaudhuri, 5th ed., Calcutta, 1950.

PTS Dict. *The Pali Text Society's Pali-English Dictionary*, ed. by T. W. Rhys Davids and William Stede, published by the Pali Text Society, 1942.

SIHC *Studies in Indian History and Cutlure*, by U. N. Ghoshal, Orient Longmans, 1957.

PART II

ORIGINAL WORKS OF ANCIENT INDIAN, SINHALESE AND TIBETAN LITERATURE

(*With editions, translations and abbreviations*)

The *Arthaśāstra* of Kauṭilya
The *Dharmasūtras*
Dīgha Nikāya
See List for Part I

Dīpavaṁsa, ed. and tr. by H. Oldenberg, London, 1873; ed. and tr. by B. C. Law, London, 1859.

Divyāvadāna, ed.by E. B. Cowell and R. A. Neil, Cambridge, 1886.

Mahābhāshya of Patañjali, ed. by F. Kielhorn, Bombay, 1880–5; ed. in Nirnaysagar Press Series, 1935–45.

Mahāvaṁsa, ed. by W. Geiger, *PTS*, London, 1908; tr. by W. Geiger, *PTS*, London, 1912; tr. by W. Geiger assisted by M. A. Bode, addenda by G. C. Mendis, Colombo, 1950.

Mudrārākshasa of Viśākhadatta, ed. by A. Hillebrandt, Breslau, 1912. Several editions by Indian scholars; tr. by H. H. Wilson in *Hindu Theatre*, Vol. II; ed. by M. R. Kale, Bombay, 1900.

Sūtralankara attributed to Aśvaghosha, Fr. tr. from Chinese version by E. Huber, Paris, 1908.

Tāranāth's History of Buddhism in India (in Tibetan), tr. into German under the title *Geschichte des Buddhismus in Indien*, St. Petersburg, 1869.

ORIGINAL WORKS OF GREEK AND LATIN CLASSICAL LITERATURE

(*With their editions and translations*)

Arrian (Flavius Arrianus), an official of the Roman empire in 2nd century A.D., author of two works, namely,

(a) *Alexandron Anabasis,* most recent ed. by A. G. Ross, Leipzig, 1907: tr. by J. W. M'Crindle in the work *The invasion of India by Alexander the Great,* 2nd ed., 1896.

(b) *Indike,* ed. by A. Eberhard, Leipzig, 1884: tr. by J. W. M'Crindle in *Ancient India as described by Megasthenes and Arrian,* London, 1877. Revised edition of the above by R. C. Majumdar, Calcutta, 1960: tr. of (a) and (b) by E. J. Chimnock, London, 1893.

Curtius (Quintus Curtius Rufus) author of the work *Historiae Alexandri Magni,* ed. by E. Hedicke, Leipzig, 1908: tr. of the part relating to India by M'Crindle in *The invasion of India by Alexander the Great.*

Diodorus of Agyrion in Sicily, author of the work called *Bibliotheke,* ed. of Books I–XV by F. Vögel and Books XVI–XVIII by C. T. Fischer, Leipzig, 1888–1906; tr. of Book II, Chaps. 35–42 dealing with account of India, by M'Crindle in *Ancient India as described by Megasthenes and Arrian* and of Book XIX, Chaps. 33–4 containing an account of Alexander's invasion by M'Crindle in *Ancient India as described in classical literature.*

Megasthenes, author of *Indika,* ed. by E. A. Schwanbeck, Bonn, 1846, latest ed. by A. G. Ross, 1907, tr. by M'Crindle in *Ancient India as described by Megasthenes and Arrian*; revised ed. by R. C. Majumdar, Calcutta, 1960. Tr. by E. J. Robson, 2 vols., 1925, 1933.

Plutarch, author of the work known in its English version as *Parallel lives of the Greeks and Romans* (' Lives '), critical ed. by Sintenus and Bekker; tr. of Chaps. 57–67 (Alexander and Julius Caesar) by M'Crindle in *Ancient India in classical literature,* ed. and tr. by B. Perrin in Loeb Classical Library Series, London, 1919–28.

Strabo of Amasia in Asia Minor, author of *Geographica,* ed. by A. Meineke, Leipzig, 1852–3. Trans. of Book XV, Section 1 (dealing with India) by M'Crindle in *Ancient India as described in classical literature*; ed. and tr. by H. L. Jones, 8 vols., London, 1917–38 (Vol. VII contains account of India).

OTHER ABBREVIATIONS

ASIAR	Annual Report of Archaeological Survey of India (also called Annual Report of the Director-General of the Archaeological Survey in India).
CAH	Cambridge Ancient History.
CHI	See List on Part I.
EI	*Epigraphica Indica* and record of the Archaeological Survey of India.
HRS	See List on Part I.

IPI	See List as above.
PHAI	See List as above.
SEHHW	*Social and Economic History of the Hellenistic World* by M. Rostovtzeff, 3 vols.
SIHC	*Studies in Indian History and Culture*, by U. N. Ghoshal, Calcutta, 1957.

PE, RE and SRE are well known abbreviations of Aśoka's inscriptions classified under the heads Pillar Edicts, Rock Edicts and Separate (Kaliṅga) Rock Edicts respectively.

GLOSSARY OF SANSKRIT AND SANSKRITIC TERMS

A

Akṛitya in *KA*, negative of *kṛitya*; one who is incapable of being seduced from his loyalty, 72

Aghāta in *KA*, immunity of animals from slaughter, 58

Aṭavīpāla in *KA*, officer-in-charge of State forests, 94

Aṭavībala in *KA*, one of six divisions of king's troops (lit. 'troops of foresters') probably signifying an irregular force of aboriginals and tribals employed for plunder of enemy's kingdom, 146

Atisandhi in *KA*, a species of the genus *sandhi* (q.v.) involving loss to one party and gain to another party, briefly a losing treaty, 201

Atyaya in *KA*, penalty, 124

Aththacharaka-amachcha or *upacharaka amachcha* in *Jāt.*, a class of *amachchas* (q.v.) meaning ministers or officials assisting the king in temporal matters

Aththadassa-mahāmatta in *Jāt.*, a class of *mahāmattas* (q.v.) meaning judges or ministers

Adhikaraṇa in *KA*, generic name for administrative office, 45. This explanation is more accurate than the rendering (a) a department, an office and (b) the place where the court is situated (H.P.K.)

Adhyaksha[1], in *KA*, a civil officer who is in charge of a State office, 40-1

Adhyaksha[2], otherwise called *adhipa* in *Dharmasūtras*; name of officer-in-charge of the rural area, 177 n3

Adhyaksha[3] in *KA*, military officer of each of the four wings of the army, 150

Antapāla in *KA*, 'warden of the marches'; his civil functions, 90; his police functions, 133; his command of a chain of forts or strongholds along frontier of the kingdom, 153

Antapāladurga in *KA*, designation of a class of forts in charge of the *antapāla* (q.v.); their classification under four heads, namely, *audakadurga*, *parvatadurga*, *dhānyanadurga* and *vanadurga* (q.v.), two other classes of forts of the same category are *sthaladurga* and *nadīdurga*, 153

Anta-mahāmātra in Aśoka's inscriptions: title of a class of officials, 244

Antaḥpuracharaka-mahāmatra in *KA*, the officer-in-charge of the inner apartments of the royal palace, 52ff

Antarabhogika in *Jāt.*, a social order probably comprising assignees of estates, 28

Antaravaṁśika in *KA*, officer-in-charge of the king's harem. H.P.K.'s tr., 'command of the palace guards' is less satisfactory, 53

Anīkastha in *KA*, title of master of elephant-lore, 151

Anugraha in *KA*, a fiscal term meaning 'advance of agricultural loan by the State to cultivators', 88

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The abbreviations *Jāt.* and *KA*, used below, stand respectively for *Jātakas* and Kauṭilya's *Arthaśāstra*. For the Sanskrit and Sanskritic terms occurring in the English Index see the Glossary of Sanskrit and Sanskritic Terms.

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